

Also, petition of Friends Church, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KRONMILLER: Paper to accompany bill for relief of Sarah Halley; to the Committee on Pensions.

By Mr. LAFEAN: Petition of Valley Grange, No. 1360, Patrons of Husbandry, for Senate bill 5842, for amendment of the oleomargarine law; to the Committee on Agriculture.

By Mr. LINDBERGH: Petition of H. F. McLane, of Annandale, Minn., protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. MCKINNEY: Petition of business men of Seaton, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of business men of Milan, Ill., protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Lincoln, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MASSEY: Paper to accompany bill for relief of Aaron W. Dixon; to the Committee on Pensions.

Also, paper to accompany bill for relief of John N. West; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of W. G. McKinzie; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petition of Manufacturers' Club of Philadelphia, for a fair trial of the tariff board; to the Committee on Ways and Means.

Also, petition of National Business League of America, for San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petition of American Federation of Labor for Federal inspection of locomotive boilers; to the Committee on Interstate and Foreign Commerce.

Also, petition of Phoenix Paint & Varnish Co., for the Heyburn paint bill (S. 1130); to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of William J. Walsh; to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of Central Labor Council, for legislation to curb immigration; to the Committee on Immigration and Naturalization.

Also, petition of citizens of the tenth congressional district of Wisconsin, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. OLDFIELD: Papers to accompany bills for relief of Josiah E. George and Lula B. Prentiss; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of James W. Smith; to the Committee on Pensions.

By Mr. PADGETT: Papers to accompany bills for relief of John C. Dempsey and Thomas L. Richardson; to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of American Peace Society for neutralization of the Panama Canal; to the Committee on Railways and Canals.

By Mr. REEDER: Petition of citizens of Kansas, against parcels posts; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Kansas, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ROBINSON: Petition of citizens of the sixth congressional district of Arkansas, against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of Asa Crow; to the Committee on War Claims.

By Mr. SHEFFIELD: Petition of board of aldermen of Newport, R. I., favoring Senate bill 5677; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Darius B. Dodge and 82 others, of Block Island, R. I.; the town council of Middleton, R. I.; Max F. Shade and 12 others, of Jamestown, R. I.; Business Men's Association of Providence, R. I.; Union Club of Wakefield; and Woonsocket Central Labor Union, for investigation of causes of tuberculosis in cattle; to the Committee on Agriculture.

Also, petition of Rhode Island Retail Grocers and Marketmen's Association, Providence, R. I., relative to the butterine bill; to the Committee on Agriculture.

By Mr. SHEPPARD: Paper to accompany bill for relief of George A. Bush; to the Committee on Claims.

Also, petition of Congress of Nations, by Albert Sydney Johnston Camp of Confederate Veterans, favoring arbitration; to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Petition of citizens of Texas, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. SWASEY: Petition of citizens of Wiscasset, Me., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of the Trans-Mississippi Commercial Congress, for good-roads building; to the Committee on Agriculture.

Also, petition of Walla Walla Trades and Labor Council, relative to abandoned land of Fort Walla Walla; to the Committee on the Public Lands.

Also, petitions of High School Teachers' Association and Principals' Association of Graded Schools, for the teachers' retirement bill; to the Committee on the District of Columbia.

Also, petition of Wireless Association of Pennsylvania, against House bill 23595; to the Committee on Interstate and Foreign Commerce.

Also, petition of United States Custom Employees' Benevolent Association, for increase of salaries in the Customs Service; to the Committee on Appropriations.

By Mr. TAYLOR of Ohio: Petition of citizens of Ohio, against a local rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. TOWNSEND: Petition of citizens of Michigan, against rural parcels post; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, January 10, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of yesterday's proceedings was read and approved.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1872. An act setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.;

S. 5362. An act granting to the city of Bozeman, Mont., certain lands to enable the city to protect its source of water supply from pollution;

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of sundry citizens of Leslie, Idaho; Loretto, Minn.; and Oklahoma City, Okla., remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a petition of the Central Labor Union of Lebanon, N. H., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the Board of Trade and Merchants' Exchange of Portsmouth, N. H., praying that an appropriation be made for the rebuilding of the dry dock at the Portsmouth Navy Yard, which was referred to the Committee on Naval Affairs.

Mr. CULLOM presented memorials of sundry citizens of Mattoon and Delavan, in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Lodge No. 2538, Modern Brotherhood of America, of Creal Springs, Ill., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Council of North American Grain Exchanges, praying for the passage of the so-called Stevens bill-of-lading bill, which was referred to the Committee on Interstate Commerce.

Mr. DICK presented a petition of 2,556 employees of the Hocking Valley Railroad Co., in the State of Ohio, praying for the enactment of legislation authorizing higher rates of transportation for railroads, which was referred to the Committee on Interstate Commerce.

Mr. WETMORE presented a petition of the Central Labor Union of Woonsocket, R. I., and a petition of the Society for the Relief and Control of Tuberculosis, of Pawtucket, R. I., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Retail Grocers and Market Men's Association of Pawtucket, R. I., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of Zenith Lodge, No. 1, of Duluth, Minn., praying for the adoption of certain amendments to the present eight-hour law, which was referred to the Committee on Education and Labor.

He also presented a petition of Polar Camp, No. 4, Woodmen of the World, of Cloquet, Minn., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. OLIVER presented a petition of the Pennsylvania Society of Los Angeles, Cal., praying that San Francisco, Cal., be selected as the site for holding the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of the Philadelphia & Gulf Steamship Co., of Philadelphia, Pa., praying that New Orleans, La., be selected as the site for holding the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of Local Chapter No. 253, American Insurance Union, of Erie, Pa., and a petition of Local Camp No. 11, Woodmen of the World, of Wilkesburg, Pa., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. GAMBLE presented petitions of sundry commercial clubs and business firms of Aberdeen, Bellefourche, Deadwood, Hot Springs, Lead, Nisland, Rapid City, Redfield, Sturgis, and Yankton; of Lodge No. 61, Brotherhood of Railroad Trainmen; Division No. 213, Brotherhood of Locomotive Engineers; and of Lodge No. 170, Brotherhood of Locomotive Firemen and Engineers, all in the State of South Dakota, praying that San Francisco, Cal., be selected as the site for holding the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

Mr. BRISTOW presented memorials of sundry citizens of Goodland, Chetopa, Garnett, and Ravanna, all in the State of Kansas, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. KEAN presented a memorial of the Market Street Business Men's Improvement Association, of Paterson, N. J., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Friends' Temperance Association, of Philadelphia, Pa., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented the petition of Mrs. Grace Nicoll, of Morristown, N. J., praying for the passage of the so-called children's bureau bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Tuckerton, N. J., praying for the enactment of legislation to provide for the relief and retirement of officers and men of the United States Life-Saving Service, which was referred to the Committee on Commerce.

Mr. BROWN presented sundry affidavits to accompany the bill (S. 8986) granting an increase of pension to Joseph W. Frank, which were referred to the Committee on Pensions.

He also presented sundry affidavits to accompany the bill (S. 8985) granting an increase of pension to William J. Perkins, which were referred to the Committee on Pensions.

Mr. SCOTT presented a petition of the Business Men's Association of Charleston, W. Va., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

H. R. 28435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 946); and

H. R. 28434. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 945).

Mr. McCUMBER, from the Committee on Pensions, to which were referred certain bills granting pensions and increase of pensions, submitted a report (No. 947) accompanied by a bill (S. 10099) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to the committee:

S. 48. Eri C. Tuller;
S. 75. Benjamin F. Harless;
S. 280. George D. Salyer;
S. 582. Thomas B. Hedges;
S. 650. Cook Gamble;
S. 830. George W. Rowe;
S. 1746. Lydia C. Rose;
S. 1804. Jonathan M. Ragner;
S. 1939. Mary V. Eveland;
S. 2150. Artemus Ward;
S. 2536. Murray V. Livingston;
S. 2729. William C. Lauscher;
S. 2880. Jasper Blain;
S. 2935. John E. Walters;
S. 3088. Mortimer Stiles;
S. 3238. Robert J. Hunt;
S. 3352. Newcomb S. Smith;
S. 3388. Frank Taylor;
S. 3396. Emeline C. Wachter;
S. 3713. John W. DeMott;
S. 3729. William R. Hunter;
S. 3818. William I. Powell;
S. 3819. William H. Thompson;
S. 3821. John Banfill;
S. 3940. Henry Frank;
S. 4117. Samuel F. Pate;
S. 4120. Jesse Fisher;
S. 4163. William S. Russell;
S. 4158. Maggie Little;
S. 4547. Samuel C. Bernhard;
S. 4660. Samuel T. Warren;
S. 4662. Max Lenz;
S. 4669. Ellen E. Brock;
S. 4686. Edward P. Payne;
S. 4843. Samuel S. Jordan;
S. 5098. Robert McCalmont;
S. 5111. James F. Cross;
S. 5240. Melvina White;
S. 5321. Ella I. Jenkins;
S. 5323. Morris H. Alberger;
S. 5358. Daniel F. Lynch;
S. 5452. John D. Slocum;
S. 5683. Harrison Thompson;
S. 5686. George W. Beasley;
S. 5754. George W. Reed;
S. 5796. Benjamin F. Brubaker;
S. 5897. Robert B. Cross;
S. 5922. James A. Rapp;
S. 5964. Ann W. Ward;
S. 6005. Ada May Blanchard;
S. 6127. Thomas Griffin;
S. 6147. Seth Nation;
S. 6179. Joseph Burke;
S. 6194. Charles E. McQueen;
S. 6196. David Adamson;
S. 6443. Jefferson Stanley;
S. 6513. Albert Person;
S. 6673. James N. Ballard;
S. 6687. Henrietta Magee;
S. 6716. John T. Rothwell;
S. 6847. Albert A. Burlough;
S. 6893. James H. Browning;
S. 6961. Daniel P. Jenkins;
S. 6997. David Heston;

S. 7025. Robert A. Tyson;
 S. 7028. Amos Mardis;
 S. 7051. Lorinda E. Thayer;
 S. 7273. John C. Hussey;
 S. 7295. Michael Sheehan;
 S. 7324. Mathew W. Clark;
 S. 7351. John A. Booth;
 S. 7515. Margaret O'Dell;
 S. 7812. Joseph A. Pennock;
 S. 7858. Newton W. Hamar;
 S. 7861. Charles H. Hahn;
 S. 7863. Edwin L. Carr;
 S. 7904. John Beeler;
 S. 7921. Henry Oliver;
 S. 8044. Hiram Mead;
 S. 8130. John C. S. Burritt;
 S. 8167. Frederick E. Partridge;
 S. 8237. Daniel J. Haynes;
 S. 8273. Anna Eliza Dunkelberg;
 S. 8306. Sarah Coffin;
 S. 8335. Charles H. Haskin;
 S. 8362. Charles C. Hill;
 S. 8363. Addis E. Kilpatrick;
 S. 8367. Benedict Coomes;
 S. 8434. Sarah A. R. Sumner;
 S. 8435. Richard Webb;
 S. 8506. James A. Colehour;
 S. 8510. Fred A. Howard;
 S. 8529. George W. Ray;
 S. 8530. Charles A. Detrick;
 S. 8536. Lorinda Herr;
 S. 8557. William Landers;
 S. 8559. John Barr;
 S. 8588. Eugenia Clark;
 S. 8596. William J. Long;
 S. 8663. Edward Higgins;
 S. 8666. Leonard N. George;
 S. 8746. George E. Haladay;
 S. 8785. Elizabeth E. Root;
 S. 8788. James J. Garner;
 S. 8799. Isaac J. Long;
 S. 8814. William L. Laffer;
 S. 8835. Kate F. Higgins;
 S. 8839. Robert B. Horton;
 S. 8840. George R. Bill;
 S. 8911. Addie B. Crowell;
 S. 8912. Edward M. Dixon;
 S. 8913. Sewell D. Batchelder;
 S. 8924. Henry Grebe;
 S. 8971. Minnie Tuft;
 S. 8973. Christian Unger;
 S. 8974. Loyal F. Williams;
 S. 8978. Joseph Vannatta;
 S. 8980. William L. Gibson;
 S. 9013. Franklin Boothe;
 S. 9014. Henry C. Rode;
 S. 9015. Albert H. Rogers;
 S. 9019. James F. Robinson;
 S. 9032. William Campbell;
 S. 9069. George B. Little;
 S. 9073. Mary E. Lobb;
 S. 9085. Orlando C. McQueston;
 S. 9118. Thomas J. Chilton;
 S. 9119. Mary A. Edgar;
 S. 9122. Alice Cole;
 S. 9152. Elijah W. Smith;
 S. 9185. Watson D. Maxwell;
 S. 9187. James L. Parham;
 S. 9221. Conrad I. Plank;
 S. 9277. David G. Bliss;
 S. 9289. David Wadsworth;
 S. 9310. Jeannetta Scott;
 S. 9317. George F. Falconer;
 S. 9340. James C. Bence;
 S. 9343. William J. Ritchie;
 S. 9345. James E. Fenner;
 S. 9353. Ira Trowbridge;
 S. 9355. Michael Dillon;
 S. 9358. Antimus King;
 S. 9358. Ira T. Bronson;
 S. 9379. John E. Bowen;
 S. 9381. Mary H. Nye;
 S. 9418. J. Murry Warren;
 S. 9419. Annie E. Dunton;
 S. 9484. George C. Snow;

S. 9485. Edwin R. Bonnell;
 S. 9539. Jeremiah C. Gladish;
 S. 9547. Frank Westmiller;
 S. 9608. Mary J. De Moe;
 S. 9620. William R. Keyte;
 S. 9621. Enos Wright;
 S. 9653. James O. Palmer;
 S. 9684. Owen Thomas;
 S. 9685. Calvin A. Fisher;
 S. 9720. Mary B. Jenks;
 S. 9731. Albert Otto;
 S. 9750. Emily J. Swaney; and
 S. 9764. Patrick O'Donnell.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (S. 7809) granting a pension to Sarah H. E. Ryan, submitted an adverse report (No. 949) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. PENROSE, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 9850) to authorize the Board of Trustees of the Postal Savings System to rent quarters for a central office in the city of Washington, D. C., reported it without amendment, and submitted a report (No. 948) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

H. R. 18960. An act for the relief of Emanuel Sassaman (Rept. No. 950); and

H. R. 22829. An act for the relief of George W. Nixon (Rept. No. 951).

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 9331) to increase the efficiency of the Organized Militia, and for other purposes, reported it with an amendment, and submitted a report (No. 952) thereon.

Mr. WARREN. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 7181) for the relief of George W. Nixon, to report it adversely. I ask for its indefinite postponement, as the subject matter has been covered in the bill just reported by me.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. WARNER, from the Committee on Military Affairs, to which was referred the bill (S. 9529) for the relief of Alexander Wilkie, reported it with an amendment and submitted a report (No. 953) thereon.

Mr. OLIVER, from the Committee on Claims, to which was referred the bill (H. R. 24291) for the relief of Cooper Walker, reported it without amendment and submitted a report (No. 954) thereon.

Mr. BURNHAM. I report from the Committee on Claims a large number of bills the subject matter of which has already been acted on. I move that the bills be indefinitely postponed.

The bills were postponed indefinitely, as follows:

A bill (S. 432) for the relief of Carlos Manjarrez;

A bill (S. 490) for the relief of Oliver P. Boyd;

A bill (S. 902) for the relief of the heirs or estate of Jackson Higginbotham, deceased, and others;

A bill (S. 924) for the relief of heirs of W. M. Gamel, deceased;

A bill (S. 934) for the relief of Otto Seiler, administrator of the estate of Carl Weiland, deceased;

A bill (S. 1112) for the relief of Julia D. Harris, administratrix of the estate of Stephen Daggett, deceased;

A bill (S. 1121) for the relief of the estate of Elijah Lumpkin, deceased;

A bill (S. 1126) for the relief of B. C. Thompson, of Lyons, Toombs County, Ga., for removing obstructions from the Oconee River, making it navigable;

A bill (S. 1339) for the relief of the estate of R. W. Isaac;

A bill (S. 1340) for the relief of the estate of Zachariah Claggett;

A bill (S. 1393) for the relief of the heirs of J. L. F. Cottrell, deceased;

A bill (S. 1395) for the relief of the estate of Nathan A. Davis;

A bill (S. 1397) for the relief of Emily Catherine Jones;

A bill (S. 1399) to carry into effect the findings of the Court of Claims in the case of St. John's Church, of Jacksonville, Fla.;

A bill (S. 1404) for the relief of the estate of Alfred L. Shotwell;

A bill (S. 1525) for the relief of Adam L. Elchelberger;

A bill (S. 1540) for the relief of the estates of J. W. Gunter and W. H. Gunter, both deceased;

A bill (S. 1672) for the relief of John Birkett;

A bill (S. 1827) for the relief of the heirs of John Linton, deceased;

A bill (S. 1902) to carry into effect the findings of the Court of Claims in the matter of the claim of Karoline Mulhaupt;

A bill (S. 1971) for the relief of Manuel Madril;

A bill (S. 2059) for the relief of Sophie M. Guard;

A bill (S. 2061) for the relief of Orlando B. Willcox and certain other Army officers and their heirs or legal representatives;

A bill (S. 2275) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher;

A bill (S. 2676) for the relief of the heirs of Dr. J. B. Owen;

A bill (S. 2678) for the relief of W. T. Dixon;

A bill (S. 2690) for the relief of the estate of Hardy H. Waters, deceased;

A bill (S. 2699) for the relief of the estate of George S. De Bruhl, deceased;

A bill (S. 2709) for the relief of the estate of Thomas A. Dough, deceased;

A bill (S. 2928) for the relief of the Cameron Septic Tank Co. (Inc.);

A bill (S. 2947) for the relief of heirs or estate of James Watson, deceased;

A bill (S. 3017) for the relief of the heirs of David W. Knight, deceased;

A bill (S. 3120) for the relief of the estate of Horace L. Kent, deceased;

A bill (S. 3121) for the relief of the estate of William L. Hollis, deceased;

A bill (S. 3123) to carry into effect the findings of the Court of Claims in the matter of the claims of George Boushell and others;

A bill (S. 3136) for the relief of Thomas B. Miller, legal heir of Milton R. Muzzy;

A bill (S. 3140) for the relief of the heirs of Thomas P. Mathews;

A bill (S. 3144) for the relief of the heirs and estate of James L. Miller, deceased;

A bill (S. 3159) for the relief of the Seaboard & Roanoke Railroad Co.;

A bill (S. 3563) for the relief of William J. Lewis;

A bill (S. 3573) for the relief of James Downs;

A bill (S. 3595) for the relief of the estate of William B. Ott, deceased;

A bill (S. 3602) for the relief of Mary E. Macgregor;

A bill (S. 3677) for the relief of heirs or estate of Elizabeth McClure, deceased;

A bill (S. 3716) for the relief of William W. Dewhurst;

A bill (S. 3799) for the relief of Benjamin F. Harris;

A bill (S. 4280) for the relief of the deacons of the Missionary Baptist Church, at Franklin, Tenn.;

A bill (S. 4331) for the relief of the estate of B. F. Larkin, deceased;

A bill (S. 4342) for the relief of the heirs of W. T. Garrett, deceased;

A bill (S. 99) for the relief of the estate of James Watson, deceased;

A bill (S. 101) for the relief of the estate of Jacob J. Foreman, deceased;

A bill (S. 1032) for the relief of John W. Heavey;

A bill (S. 2202) for the relief of John P. Bell, treasurer of State Hospital No. 1, of Fulton, Mo.;

A bill (S. 2779) for the relief of S. W. Langhorne and H. S. Howell; and

A bill (S. 3503) to reimburse Frank Wyman, postmaster at St. Louis, Mo., for embezzlement of money-order funds by clerk at said post office.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:
A bill (S. 10100) requiring the Washington, Spa Springs & Getta Railroad Co. and the Washington Railway & Electric Co. to issue free transfers for passengers using their lines; to the Committee on the District of Columbia.

By Mr. FRYE:
A bill (S. 10101) granting an increase of pension to Frank Cleaves (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:
A bill (S. 10102) for the relief of Chief Machinist Richard B. Smith, United States Navy; to the Committee on Naval Affairs.

A bill (S. 10103) to grant an honorable discharge to Peter Howlet; to the Committee on Military Affairs.

A bill (S. 10104) granting an increase of pension to Sarah J. Bossert (with accompanying papers); to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 10105) to authorize the exchange of certain lands with the Northern Pacific Railway Co. (with accompanying papers); to the Committee on Public Lands.

By Mr. BROWN:

A bill (S. 10106) granting an increase of pension to Cornelius S. Munhall (with accompanying papers);

A bill (S. 10107) granting an increase of pension to David Pickerell (with accompanying papers);

A bill (S. 10108) granting an increase of pension to Lester Walker;

A bill (S. 10109) granting a pension to Joseph P. Morris;

A bill (S. 10110) granting an increase of pension to Abel Buckingham;

A bill (S. 10111) granting an increase of pension to John H. Lennon;

A bill (S. 10112) granting an increase of pension to John F. King;

A bill (S. 10113) granting an increase of pension to Eber W. Fosbury; and

A bill (S. 10114) granting an increase of pension to Jacob Stege; to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 10115) granting an increase of pension to Franklin S. Woodnorth (with accompanying papers);

A bill (S. 10116) granting an increase of pension to Albert C. Jefferson (with accompanying papers);

A bill (S. 10117) granting an increase of pension to Giles B. Hathaway (with accompanying papers);

A bill (S. 10118) granting an increase of pension to Timothy O'Leary;

A bill (S. 10119) granting an increase of pension to Edgar W. Flanders (with accompanying papers);

A bill (S. 10120) granting an increase of pension to Horatio Nelson (with accompanying papers); and

A bill (S. 10121) granting an increase of pension to Norman Simonds (with accompanying papers); to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 10122) granting an increase of pension to Russell B. Johnson;

A bill (S. 10123) granting an increase of pension to Benoni Sweet (with accompanying papers); and

A bill (S. 10124) granting an increase of pension to Catherine S. Wales (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 10125) granting an increase of pension to William M. Wall; and

A bill (S. 10126) granting a pension to Adele A. C. Wilson; to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 10127) granting a pension to Simeon Van Akin (with accompanying paper); to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 10128) granting an increase of pension to Francis Young;

A bill (S. 10129) granting an increase of pension to William E. Stewart;

A bill (S. 10130) granting an increase of pension to Royal S. Childs;

A bill (S. 10131) granting an increase of pension to Frank E. Martell (with accompanying papers); and

A bill (S. 10132) granting a pension to Bethana Asetline (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 10133) for the relief of Herbert H. Russell; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 10134) granting an increase of pension to Theophilus R. Bewley (with accompanying paper); to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 10135) granting an increase of pension to Samuel Welch (with accompanying paper); to the Committee on Pensions.

A bill (S. 10136) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes; to the Committee on the District of Columbia.

By Mr. FLINT:

A bill (S. 10137) granting a pension to Samuel S. Householder (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURROWS submitted an amendment proposing to appropriate \$720 for the salary of one laborer in the Senate Office Building, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WETMORE submitted an amendment proposing to appropriate \$30,000 for improving the harbor of refuge, Block Island, R. I., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BOURNE submitted an amendment proposing to appropriate \$300,000 for the improvement of Tillamook Bar and Bay, Oreg., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—JONAS O. JOHNSON.

On motion of Mr. HEYBURN, it was

Ordered, That the withdrawal of the papers filed in connection with Senate bill 15, to correct the military record of Jonas O. Johnson, is hereby authorized, no adverse report having been made thereon.

LEASING OF COAL LANDS IN ALASKA.

On motion of Mr. NELSON, it was

Ordered, That 2,000 additional copies of the bill (S. 9955) to provide for the leasing of coal and coal lands in the Territory of Alaska be printed for the use of the Senate document room.

RETIREMENT OF GOVERNMENT EMPLOYEES.

Mr. CUMMINS. Mr. President, at the last session the Senate adopted a resolution calling upon the Department of Commerce and Labor for certain information relating to the cost of retiring superannuated Government employees. That report is now in my hands. It was prepared under the Director of the Census, by Mr. Brown. There are in the report certain deductions made by Mr. Brown which the Director of the Census hesitates to include, thinking possibly that they are not in strict response to the order of the Senate. Inasmuch as I called for the report on behalf of the Committee on Civil Service and Retrenchment, I ask that the Senate accept the report as it is and that it be printed under the order of the Senate heretofore made, as the resolution of the last session provided for its printing.

Mr. SMOOT. Mr. President, I should like to ask a question of the Senator from Iowa. Did the resolution call for the printing of the report when received as a document for the use of the committee or for the use of the Senate?

Mr. CUMMINS. For the use of the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. There being no objection, the report will be printed as requested for the use of the committee.

Mr. CUMMINS subsequently said: Mr. President, in presenting a report this morning in response to a call upon the Department of Commerce and Labor, I asked that it be printed under a former order of the Senate. I overlooked the fact that the order formerly made has expired by its own limitation. I therefore ask now for an order for the printing of the report together with the accompanying illustrations.

The VICE PRESIDENT. Is there objection to reconsidering the vote by which the action was taken this morning and to the entry of an order to print de novo? The Chair hears no objection, and that order will be made.

Mr. CUMMINS. I assume that it will be printed in the same way and for the same purpose; that is, for the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. The Chair understands that to be the request.

SENATOR FROM ILLINOIS.

The VICE PRESIDENT. If there be no further morning business, the Chair lays before the Senate a resolution coming over from yesterday, which the Secretary will read.

The Secretary read the resolution (S. Res. 316) submitted yesterday by Mr. OWEN, as follows:

Resolved, That the so-called election of WILLIAM LORIMER on May 26, 1909, by the legislature of the State of Illinois was illegal and void, and that he is not entitled to a seat in the United States Senate.

Mr. CRAWFORD. Mr. President, I have read with great care and deep interest not only the report of the majority of the Committee on Privileges and Elections and the dissenting views presented by the minority, but I have read and reread all the testimony reported by the committee and the abstract and briefs of the able counsel employed to present each side at

the hearings. I have been reluctantly compelled to reach a conclusion in regard to the merits of the controversy which is adverse to that reached by the majority of the committee. The members of this committee enjoy the highest respect of every Member of this Senate, and my own colleague, for whom I have a regard which has grown stronger each day as we have worked together for the State we represent, has joined with the majority of the committee in the report now before us. Differing as I do and must from the conclusions reached by the majority of the committee, my confidence in and respect for the Senators who made it is such that I shall state my views with the full consciousness that Senators, like jurors and courts, may honestly differ upon both questions of fact and law, and that the giving of a dissenting opinion carries with it no feeling of resentment or hostility. The important thing in this case, in my judgment, Mr. President, is to get a correct view of the facts. When once the facts are clearly established and thoroughly digested it is not a difficult matter to apply known legal rules to them. I shall therefore undertake to analyze and review the facts in this case as I have sifted and arranged them after a very careful examination of the record presented to us by the committee.

Mr. President, two important witnesses have testified in these hearings among others. Both are Democrats and both voted for Mr. LORIMER. Both are deeply involved. One of them, Charles A. White, is a young man 29 years of age, who had been a lobbyist in 1907 at Springfield and was elected a member of the Forty-sixth General Assembly at the election of 1908; a single man without means; a spendthrift and dissolute character; his residence was at O'Fallon, Ill., near East St. Louis. Prior to his election he was a street railway conductor; "a man of very ordinary education and very ordinary literary attainments." (Record, p. 653.)

Immediately after his election he received several communications from the other witness to whom I have referred, Lee O'Neil Browne, of Ottawa, who had been in the legislature several terms and had just been reelected. Browne is a Democrat and the leader of a faction in his party. In his first letter to White he congratulated the latter upon his election and solicited his support as a candidate for the position of "minority leader" in the legislative session soon to be held. It appears that under the constitution or statutes of Illinois, one or both (p. 659), the minority party is entitled to representation upon the various State boards, and that in voting for members of the house of representatives the legislative districts are each represented by three members, and a voter may cast a vote for each of three candidates, or, if he desire, he may consolidate his votes and give them all to one candidate only, the purpose being to insure minority representation, or representation of the minority party, in the legislature (p. 586).

This enables the minority to elect at least one of three members from each district. (See record submitted by the committee, pp. 701, 702.) The position of minority leader is much sought after, because through him the minority presses its claims to a division of spoils awarded to the minority party in the distribution of patronage. Browne is an unmarried man, 44 years of age, and a lawyer by profession (p. 651). He was an aggressive candidate for this position.

At the primary election held in August, 1908, under the provisions of a primary-election law then in force in Illinois, there were four Republican candidates seeking indorsement from the voters of that party as candidates for United States Senator. These candidates received the following votes, respectively: Albert J. Hopkins, 168,305 votes; GEORGE EDMUND FOSS, 121,110 votes; William E. Mason, 86,596 votes; William G. Webster, 14,704 votes. Lawrence B. Stringer was the only Democratic candidate before the primaries and he received the vote of his party there. (Record, p. 35.)

Notwithstanding the indorsement of Albert J. Hopkins by the Republican voters at the primary, Mr. LORIMER, who had not been a candidate for Senator at the primaries, was bitterly opposed to his election, and went to Springfield in person during the session of the legislature with the determination to defeat him. It is also clear from the record that Mr. LORIMER was determined to organize the legislature against Hopkins and Gov. Deneen. For the purpose of securing control of the organization of the house, the Lorimer Republicans made a combination with the Democratic members and elected a close friend of LORIMER and a political enemy of Senator Hopkins—Edward Shurtleff, a Republican—speaker.

All but two of the Democratic members voted for Shurtleff. He could not have been elected speaker at all except for this most unusual and unnatural combination with the members of an opposing party.

A game was being played in which, at the very beginning, all party principle was abandoned, the expression of the popular

vote at the primary was unceremoniously disregarded, and the control of the house was seized by unscrupulous and unprincipled men with dark-lantern schemes to promote.

Shurtleff was elected speaker as the first step in a corrupt program. I do not undertake to say that every man who supported Shurtleff for speaker knew that he was taking part in a corrupt deal. Undoubtedly plausible reasons were given which persuaded some of these men to support him honestly, but the leaders on both sides who conceived the idea of bartering away all party loyalty and all regard for the action of the 168,305 Republican voters who had expressed a preference in the primaries for Albert J. Hopkins, by making this sort of combination in order to organize the house against him and against the Republican governor of the State, were disloyal and unscrupulous men. This was the first move on the checkerboard in the corrupt game they were playing.

The next move was to install Lee O'Neil Browne in the position of minority leader of the Democratic minority in the house. Charles A. White was one of Browne's ardent supporters. Bear that fact in mind. So, also, were the following men whose names, along with that of White, are steeped in indescribable infamy: H. J. C. Beckemeyer, Michael S. Link, Joseph S. Clark, Robert E. Wilson, Henry A. Shepherd, Charles S. Luke, John Henry De Wolf, John Griffin, Manny Abrahams, and others of their kind.

In the Democratic caucus Browne, by the support of these men and other members from Chicago, was elected minority leader against a man named Tibbit. The vote was 39 to 25, but the Tibbit men refused to accept Browne as their leader and bolted the caucus. After he was elected, two of the Democrats who had voted for him refused to follow Browne further, so that there remained only 37 Democratic members who acknowledged him as the leader of their faction. The remaining Democratic members were intensely hostile to him. Nevertheless, he had a band of about 30 members who permitted him to deliver their votes in one form and another. The organization of this group and the securing of the bargain and delivery of their votes by Browne was the next important step in the corrupt scheme which ripened into bitter and poisonous fruit later on. Speaking of the mastery he secured over his followers, Browne himself testified:

Well, in this transaction I might say the bellwether, so to speak, was Manny Abrahams—Emanuel Abrahams—a Chicago saloon keeper. He is the first on the list, you will see, the first Democrat, and he was a very strong and staunch adherent of mine, and whether right or wrong, he believed what I did was right, and whenever they saw Manny Abrahams—those who wanted to know how I was going to vote—saw Manny Abrahams vote one way, that settled it. (Record, p. 665.)

With Shurtleff, a bitter enemy of Senator Hopkins and a political henchman of Mr. LORIMER, in the speaker's chair as a result of a combination with the Democrats, and with Lee O'Neil Browne in command of a group of 30 men like White, Beckemeyer, Link, Luke, Clark, Shepherd, De Wolf, Abrahams, Griffin, and Wilson to follow him upon the giving of a signal whether right or wrong, the corruptionists were certainly making headway in the house. They were not without tools in the senate, either. Senator John Broderick, a saloon keeper from Chicago, was the handy man there, and men like Senators Holstlaw and Pemberton were not difficult to reach. Broderick from Chicago and Holstlaw from southern Illinois were Democrats who knew how to get their share of any loot in sight. Broderick was a close personal friend and admirer of Mr. LORIMER, so he says, and Holstlaw loves the filthy lucre more than he does his honor. (Record, p. 348.)

To show what kind of men these senators were, I quote the following from a signed confession made by Holstlaw in regard to his connection with the purchase of some furniture for the senate and house assembly rooms at Springfield:

Q. Who constituted the committee?—A. Secretary Rose is chairman and Representative Pierce is secretary, and Senator Pemberton and Representative J. O. S. Clark and myself were a part of the commission.

Q. You may state any conversation you may have had with your associates on the committee, or any of them, about whether you would get anything out of the letting of the contract for yourselves.—A. They, both of them, Pemberton and Clark, said we would get something out of it.

Q. Did you afterwards have any conversation with Mr. Freyer or Mr. Johnson on the same subject; and if so, what was said between you and them on that subject?—A. Mr. Freyer first asked me what I would want. I think that was what he said. I can hardly recall what he said to me. I do not know what I did say to that, but we never finished talking. But I ought to say—I do not know whether I told him or not—I think he asked me what I would want out of it, and I think I gave him an evasive answer, and I did not want to do anything of that kind; then, when he got ready, he said: "You go ahead and fix it up with Mr. Johnson; whatever he does is all right." That is all I remember that he said.

Q. Did you afterwards agree with Mr. Johnson how much you were to have?—A. Yes.

Q. How much did Mr. Johnson agree to give you?—A. \$1,500.

Q. When was it to be paid?—A. After the furniture was received.

Q. Did Mr. Johnson say anything to you on the subject of what he was paying anyone else on the committee; and if so, what did he say?—A. He said that was more than he was paying anyone else, and he said that, if I remember right, he said \$1,000 was what he was going to give Clark and Pemberton.

Q. Did you vote for LORIMER for United States Senator?—A. I did.

Q. Before the voting came off, was anything said to you about paying you anything for voting for LORIMER?—A. There was.

Q. Who talked with you on that subject, and what was said?—A. Senator Broderick, of Chicago. He said to me: "Mr. LORIMER is going to be elected to-morrow"—that is as well as I can remember the date—and he said, "There is \$2,500 for you if you want to vote that way;" and the next morning I voted for him.

Q. Did you tell Mr. Broderick that you would vote for Mr. LORIMER?—A. I do not know whether I did or not, but I think I did.

Q. Did you afterwards receive any money from Mr. Broderick; and if you did, when and where was it?—A. I received \$2,500 in his office at one time, and I do not know whether I received the other at the same time or not, but I rather think it was at another time, I received about \$700; I think it was about that.

Q. What was the \$2,500 for?—A. It was for voting for LORIMER.

Q. And what was the \$700 for?—A. Well, he never said, and I did not ask him. He said there was that much coming to me, and handed it to me; that is all that was said about it.

The J. O. S. Clark referred to by Holstlaw in this statement is the Democratic house member who, with others, met Lee O'Neil Browne in St. Louis on June 21 and Robert E. Wilson on July 15, after the legislature which elected Mr. LORIMER had adjourned, from the first of whom each received \$1,000 in cash and from the second of whom each received \$900 in cash, according to the overwhelming preponderance of the testimony in this record, as I construe it. (Record, p. 348.)

It seems to be conceded on both sides that there was a corruption fund at Springfield, commonly known as a "jack pot," furnished by interested parties and used to buy and sell the votes of members of the legislature and to procure the passage or the defeat of legislation, according to the wish of the parties contributing the fund, and that the jack pot was divided among the members who had voted in the right manner to entitle them to share in it after the close of the session, and that this corrupt practice had prevailed at Springfield for some years. Judge Hanecy, counsel for Mr. LORIMER, almost admitted this, when arguing against the admission of testimony regarding this jack pot, on the ground that it was foreign to the issue under investigation. He was the first to mention the existence of a jack pot when, on page 42 in the proceedings before the committee, he said:

The matter they want to get at is what is called a jack pot, or something else that is in no way connected with the senatorship. * * *

And on page 43:

It is not competent, and can not be, that the other matters had to do with the election of a United States Senator, as Mr. Austrian says, because some men got money for doing other things, and the system, he says, was so that they could get money for other things, and the other things have no relation to the senatorship.

On page 46:

The jack pot, or something they got for some other things, but not for voting for United States Senator.

White testified, page 47:

I had heard rumors of other matters, and I requested Mr. Browne at that time to tell me or inform me what I was to receive from "other sources," and, as I understood it, that was the understanding, that I was to be taken in on the whole matter for voting for Mr. LORIMER. I had not been taken in or informed as to any other matters up to that time. It was through the agreement I entered into with Mr. Browne to vote for Mr. LORIMER that I was offered the other consideration.

Senator HAYBURN. You were offered a thousand dollars if you would vote for him?—A. Yes, sir.

Senator BURROWS. Now, were you offered any other consideration?—A. Yes, sir: I was told I would receive about that much or a little more from the jack pot or other sources later on, and he stated—

Q. For what purposes?—A. Well, he did not state. There was no purpose at all. From other sources, that is all.

Senator HAYBURN. The jack pot was divided among the members of the legislature, I suppose—the legislative members?—A. I presume so from what I heard.

Senator HAYBURN. Were you to share in the jack pot except in the event you voted for Mr. LORIMER?—A. I had not heard of it before, Mr. Senator. Well, I had heard that there was money raised, but I had not been informed or taken in on any such proposition.

Q. For what purposes had money been raised that you heard of?—A. I was told by certain members that had been there before that there was a split up at the end of the session, and that there had been an established precedent.

Q. For what purpose?—A. Well, sir, I don't know, except for strangling of legislation or killing of legislation or the passing of legislation—I don't know. That was the understanding, and Mr. Browne did not tell me from what source the money came, and we did not discuss that phase of the question whatever.

Q. Who distributed the jack pot?—A. I received my money from Mr. Wilson, a member of the legislature.

Senator GAMBLE. You had heard of the jack pot prior to the 24th or 25th of May, 1909?—A. Not the jack pot of this session. I have heard of jack pots in the previous sessions.

Senator BURROWS. That was the fund that was devoted to the matters of legislation?—A. Well, it was generally understood, but I did not know of any legislation it had been put up for, or anything of that sort. I had heard afterwards that there were bills that money had been put up for and that the governor had vetoed, and so on (p. 48).

Mr. HANECY. May I suggest—

Now, this shows that Judge Haney realized that that jack-pot condition absolutely existed there. Judge Haney said:

May I suggest that the witness be asked if he did not know that the jack pot was made up of money which was paid in by other people who wanted legislation or who wanted legislation killed? That would probably clear up the atmosphere.—A. I did understand that at previous times, but I did not know at that time (p. 50).

Judge Haney apparently conceded that a jack pot was created by corporations, firms, and individuals interested in killing or promoting legislation, as, for instance, the furniture company which bribed Holstlaw, Clark, and Pemberton; the great railway companies whose lines enter Chicago, and the great packers. He insisted, however, that its existence was immaterial to the inquiry pending before the committee, which he contended must be limited to direct evidence of bribery in the purchase of votes for Mr. LORIMER (p. 96). Browne, Shurtleff, Broderick, and others, who had been in previous legislatures at Springfield, undoubtedly knew of this jack-pot method of corruption. White, who had been a lobbyist during the previous session, knew of it. Holstlaw, Pemberton, and Clark, as members of the furniture committee, made its acquaintance, and the very atmosphere at Springfield seems to have been tainted by it. So it is clearly established that there was a corruption fund known as the jack pot, and that the men who disbursed it also handled the boodle used to buy votes for Mr. LORIMER. The forming of this community of interest was the next move in the gum-shoe campaign for his election. The proof is ample on this point. For instance, Browne paid White \$100 before he left Springfield, and on June 16, at the Briggs House, in Chicago, he paid him \$50, and on the following morning \$850, making \$1,000 in all as his "Lorimer money." He told White that "he would be in St. Louis in a few days to give the southern Illinois members their Lorimer money" (pp. 54, 55). He was to meet White in St. Louis a month later to pay him his share of the jack-pot fund, but became ill (p. 56), and Representative Robert E. Wilson went to St. Louis in his stead. On July 14 Wilson wired White to meet him the following day in St. Louis. The identical telegram is found in page 56 of the record. White did so, and in the bathroom of Wilson's room in the Southern Hotel, on July 16, Wilson gave White \$900 in cash—nine \$100 bills—saying that was all of it, and he was glad to be relieved of the burden; that Browne was sick, and that he had to come down for Mr. Browne (p. 81).

On June 21 at St. Louis, by appointment, Browne met Representatives Beckemeyer, Shephard, Michael S. Link, Charles S. Luke, and Joe Clark. It is shown by direct and positive evidence that on that day at the Southern Hotel in St. Louis he paid Beckemeyer \$1,000 in \$50 bills, saying, "This is Lorimer money" (p. 227), and he handed a package containing \$1,000 to Representative Link at the same hotel on the same day (p. 281), saying, "This is coming to you" (p. 308). Charles S. Luke is dead, but his widow testified that some time after the legislature adjourned in June, 1909, Mr. Luke received a telegram from Robert E. Wilson to meet him in St. Louis; that she saw the telegram and heard it read, and that after receiving it her husband went to St. Louis. She also testified that before he went to St. Louis, after receiving the telegram from Wilson, her husband had been away from home, but she does not know where, and that upon his return she saw him have \$950 in bills, she thinks in twenty-dollar bills (p. 495).

On July 16, when Wilson met White at the Southern Hotel in St. Louis and paid him the \$900 jack-pot money, Representatives Beckemeyer, Clark, Luke, Shephard, and Link, by special invitation, were also there. Beckemeyer and Link both testify that in the bathroom of his room in the Southern Hotel Wilson gave to each of them \$900 in cash (pp. 228-229, 283-284), and Beckemeyer says that when Wilson paid him his \$900 he remarked that he had a \$500 bill and he was instructed to give that to Shephard (p. 229).

Now, here is a most remarkable coincidence:

On identically the same day—June 16—that Browne met White at the Briggs House to pay him the \$1,000 Lorimer money Holstlaw, upon the invitation of Broderick, came to Chicago from his home in southern Illinois and Broderick paid him the \$2,500 promised him if he would vote for LORIMER (pp. 197-199). It was paid to him in cash in the office of Broderick's saloon, in Chicago, and in July following Holstlaw made a second visit to Broderick and the latter paid him \$700 more in cash (pp. 200, 207). The first was pay for his vote for LORIMER and the second was his share of the jack-pot money. This clearly shows a complete understanding and full cooperation between the men who were corrupting members to vote for LORIMER and the men who were using a jack-pot fund for general debauching and corrupting purposes. In fact, the same men were representing both the LORIMER interests and the interests which, by the corrupt use of money, were seeking to

strangle legislation regarded as inimical. To my mind the evidence shows this to have been the true situation beyond question. I maintain therefore that these three facts are all correlated and that they are sequences which must be kept in mind in order to properly understand the maneuvers which are disclosed in the evidence presented to us here.

The three facts which I have in mind are the following: First, the election of an anti-Hopkins man and a LORIMER Republican as speaker by means of Democratic votes, in order that the LORIMER men might control the organization of the House; second, the election of Lee O'Neill Browne as the absolute dictator of a faction consisting of about 30 Democratic members of the house for whom he could make corrupt and unscrupulous deals and whose votes he could deliver; third, a complete understanding between the men who handled the jack-pot fund in both the senate and house and the men who were furthering the campaign of Mr. LORIMER for election to the office of United States Senator and the formation of a complete union for cooperation between them. It is perfectly apparent, to my mind, that after these three steps, which were necessary to the success of Mr. LORIMER, had been taken, Browne and Shurtleff and LORIMER made a most complete and thorough canvass of the entire membership of the legislature to find how many votes they could secure and to ascertain the means which should be taken to secure a sufficient number. Browne, in the house, and Broderick, in the senate, were charged with the work of corrupting all Democratic members who could be reached in that way. I see no escape from this conclusion. Browne admits that two or three weeks before Mr. LORIMER was elected Speaker Shurtleff came to him to ascertain how many of his fellows would vote for LORIMER (pp. 592-594).

Q. Now, after this conversation with Mr. Shurtleff, did you consider the proposition which he made, or suggestion?—A. I did.

Q. You gave it very serious thought?—A. Yes, sir (p. 594).

Q. Now, after you made up your mind and after your talk with Mr. Shurtleff and weeks or few days of consideration by yourself, did you have any talk with Mr. LORIMER with reference to his candidacy?—A. Yes, sir.

Q. When, for the first time?—A. I can not tell you.

Q. Can't tell us how soon after you made up your mind to be with him that you had a talk with him?—A. No; because I did not notify him first.

Q. Who did you notify first?—A. My recollection is that I gave Mr. Shurtleff an answer (p. 594).

Q. And you told Mr. LORIMER of that fact?—A. Conditionally.

Q. There was a condition?—A. Yes.

Q. And what was that condition?—A. I stated to Mr. Shurtleff, and I stated afterwards to Mr. LORIMER, that I would not consent to having a single one of the Democrats that I had any influence with cast a vote for Senator LORIMER unless his election was an assured thing; that I would not have those votes cast away absolutely (p. 595).

The purpose of this condition is manifest. The votes would have a commercial value if they secured LORIMER's election; otherwise, they might be of no value to him. From that time on the meetings between Browne, Shurtleff, and LORIMER were quite frequent. They conferred every night. Sometimes the conferences lasted for hours and sometimes there were a dozen of them in an evening. Browne finally assured LORIMER that there would be 30 Browne Democratic votes for him (pp. 596-597), provided, of course, that LORIMER could guarantee that with these 30 Democratic votes he could be elected upon one roll call.

The canvass to secure these votes was made during the two weeks which preceded the election of Mr. LORIMER on the 26th day of May. It was during this time that the following incidents occurred among others, which clearly show how the necessary votes were secured.

On the night of May 25, the day before Mr. LORIMER was elected, a Democratic member of the house, Mr. Jacob Groves, while lying in bed in his room, heard a gentle rap at his door. He called out, "Who is there?" and the answer came back, "A friend." Mr. Groves opened the door and the visitor came into his room. It was Douglas Patterson, an ex-member of the legislature. He told Mr. Groves that he came to interview him on a matter and wanted him to keep it quiet. He first wanted to know if Groves was a Mason, and Groves answered that he was not. He then asked if he was an Odd Fellow and Groves answered "Yes." Patterson then went on to say that some 40 or more Democrats were going to vote for LORIMER the next day and wanted to know if Mr. Groves could see his way clear to do the same; that it might be a good thing for both of them, if Groves would do so. Groves replied, "There isn't enough money in Springfield to hire me to vote for BILL LORIMER." Patterson said, "Please put down the transom," but Groves said, "I don't care whether the transom is down or not, as far as I am concerned, and I don't care who hears what I have to say on this matter." Patterson then walked out of the room (p. 415). This testimony is uncontradicted.

Henry Tyrrell, a Republican member of the house, says he met John Griffin, a Democratic member from Chicago, who

voted for LORIMER on May 26. He met Mr. Griffin a day or two before the vote was taken, and Griffin asked him to vote for Mr. LORIMER. Tyrrell asked Griffin what there would be in it, and Griffin replied, "A thousand dollars, anyway" (p. 498). Tyrrell was a Republican and was simply pumping Griffin; he voted for Hopkins.

George W. Myers, a very reputable Democratic member of the house, testified that a short time before the roll was called on May 26 Browne sent a page to him, who said that Mr. Browne wished to see him; that he went to Mr. Browne's desk, and the latter said to him that they were going to elect LORIMER that day and that he would like Myers to go with them. Mr. Myers said, "Lee, I can't do it." Browne then said to him, "There are some good State jobs to give away and the ready necessary." Myers replied, "I can't help it; I can't go with you." Browne then told him that the speaker wanted to see him. Mr. Myers went and saw the speaker, who told him they were going to elect LORIMER that day and requested him to go with them, but Myers refused and went back to his seat (p. 312). He understood the words "ready necessary," as used by Browne, to mean cash.

I want to be fair. Mr. LORIMER has two witnesses who undertook to testify against that testimony of Mr. Myers. What is it? A little page who stood at Browne's desk during the roll call in the joint session when LORIMER was elected says he was standing there keeping the roll call, and that Mr. Myers did not go up to Browne's desk. A Democratic member named Alschuler, who sat back a couple seats or more behind Mr. Browne, says that Mr. Myers did not go up to the desk.

Now, of what value would testimony be here if one of these pages called on the witness stand in October, 1910, should say that on the 26th day of May, 1909, Senator McCUMBER did not go over to the desk of Senator BACON? They could not remember seeing him do it; and that is all their testimony amounts to, and all that it can amount to.

Not one single suspicion is cast upon the character and manliness of Mr. Myers, who gave that testimony. He seems to be a respectable citizen of the State of Illinois and a member in good standing of the Democratic Party. I am not satisfied that the mere statement of a page and the mere statement of a close friend of Mr. LORIMER, and a bitter enemy of Senator Hopkins, who sat several seats in the rear, saying that he did not see Mr. Myers go to Mr. Browne's desk, is of any value as testimony to overthrow the direct, positive testimony of the man who knew, who says that he did go to Mr. Browne's seat, and Mr. Browne solicited his vote, and told him they had "plenty of jobs and the ready necessary."

On the night of May 25, Senator Broderick met Senator Holstlaw and told him they were going to elect Mr. LORIMER the next day, and that if Senator Holstlaw would vote for him there was \$2,500 in it for him. Holstlaw promised to, and did vote for Mr. LORIMER (p. 197), and Broderick subsequently paid him \$3,200, including the \$700 paid out of the jack pot. That very night (May 25) White swears that Browne assured him that he would get \$1,000 for voting for LORIMER and an equal amount from "other sources" (p. 50). White voted for LORIMER the next day, and afterwards received \$1,900—\$1,000 Lorimer money and \$900 jack-pot money. Link testified that some days before May 26 two men from Madison County asked him to take a carriage ride with them, in which they discussed LORIMER with him, and asked him to go to Mr. LORIMER with them, which he did, and that in his interview with LORIMER he promised to vote for him (pp. 278, 280, 310); that a few days later Browne approached him in LORIMER's behalf, and he said to Browne, "I beat you to it. I promised Mr. LORIMER a week or 10 days ago, personally" (p. 278). Link voted for LORIMER, and afterwards got \$1,000 from Browne and \$900 from Wilson. This, of course, was Lorimer money and jack-pot money. Beckemeyer testified that on the night of May 24 he was called to Browne's room, and Browne showed him a list of Democrats who, he said, were going to vote for LORIMER, and solicited his vote. Beckemeyer agreed to do so if the others were going to, and he made inquiries enough to satisfy himself, and so voted for LORIMER. He received \$1,000 from Browne and \$900 from Wilson (p. 225), exactly the same as the other house members already mentioned.

Shephard says that about a week before LORIMER was elected Browne solicited his vote for LORIMER, and that he agreed to consider it if he could have his wish about the appointment of the postmaster in his town (p. 317); that on the morning before LORIMER was elected Browne told him that Mr. LORIMER would make him the promise about the post-office appointment which he wanted, and took him to the speaker's room, where Mr. LORIMER was; that Mr. LORIMER promised to do all in his power to prevent the appointment of Shephard's enemies to the

post officeship in his home town, Jerseyville, and he then voted for LORIMER (pp. 317, 318). He admitted that soon after the adjournment of the legislature Browne wrote or wired him to meet him at the Southern Hotel in St. Louis, and that he did so June 21 (p. 319). He also admitted that he met Wilson at the Southern Hotel in St. Louis on July 15 (pp. 320, 321). He admitted that he was called into the bathroom by Wilson. Both of these trips to St. Louis were on the same day that Browne and Wilson met the other hoodlums there and paid them their swag, and Beckemeyer tells us that Wilson told him that he had a \$500 bill which he was directed to give to Shephard. Joe Clark, who was on the corrupt furniture committee—a Democrat who voted for LORIMER—and Luke, whose wife saw him counting \$950 in bills after he had been away from home somewhere, and who was another Democrat who voted for LORIMER, both met Browne, along with their confederates, in St. Louis on June 21, and afterwards met Wilson there with the others on the 15th day of July following, and both were in Wilson's room in the Southern Hotel when they, one after another, were called by him into the bathroom and paid their share of the jack-pot swag. Of course, they were implicated as deeply as the others. There is no escape from that conclusion. De Wolf, another Democrat belonging to the Browne faction who voted for LORIMER on May 26, said that he followed Browne's leadership. This is the man whom White claims he met at the hotel bar in Springfield the night before LORIMER was elected, and who, while drinking with him, said: "Have you been up to the trough yet?" adding, "I have already been up to the trough and got mine" (p. 337). De Wolf says he was a poor man, and that his object in going to the legislature was to be honest and save \$1,000.

That is just exactly the amount they were giving him an opportunity to save. He says he tried on different occasions to get enough Democrats to elect Mr. Hopkins, and that finally Mr. LORIMER came to him and he told him he would vote for him (p. 344). He said he was ready to vote for Mr. Hopkins until he heard that Hopkins said he would not accept a Democratic vote (p. 345). He admitted that in talking about the matter he had probably said to Beckemeyer and Mr. English that he was from Missouri, and they would have to show him (p. 383).

On August 9, 1909, De Wolf, who was known to be a poor man without money, bargained for a piece of real estate and made a cash payment on it of \$600 (pp. 339, 341).

On May 26 Mr. LORIMER received 108 votes, 53 Democratic and 55 Republican votes. He received 6 Democratic votes in the senate and 47 Democratic votes in the house. There are 204 members of the Legislature of Illinois in a vote on joint ballot. On May 26 there were present and voting 202 members, of which Mr. LORIMER received the votes of 108. In this 108 votes are the votes of White, Browne, Broderick, Wilson, Holstlaw, Beckemeyer, Link, Luke, Shephard, Clark, and De Wolf, all of whom are Democrats, and, in my opinion, the vote of each was tainted with fraud and corruption. White, Holstlaw, Beckemeyer, and Link confessed to receiving money designated as "Lorimer money," as well as part of the jack pot. Shephard, Luke, and Clark might as well have admitted it, because the evidence as to their guilt is overwhelming. Mrs. Luke saw Luke counting \$950 in bills after he had been away from home in response to a request of Browne that he meet him; when Beckemeyer was in the bathroom with Wilson, the latter said he had a \$500 bill he was directed to give to Shephard. While in St. Louis that day, Shephard visited his safety vault in the Mercantile Trust Co.'s place (p. 321). Clark told White that Link would have voted for LORIMER for \$500, but that he got Link to hold out and that by doing so they got \$1,000 each (pp. 82, 412). Luke is dead, and proof concerning admissions by him were excluded as incompetent and hearsay (p. 301). In his published statement White claims that while they were all at St. Louis to get their share of the jack-pot money Luke admitted that he received \$1,000 from LORIMER and complained that \$900 was not a fair division of the jack pot (p. 11). Clark, after he voted for LORIMER, bought two diamonds (p. 401). Representative Powers died, and there was due him from the State at the time of his death \$600. Clark drew this money for Mrs. Powers after the legislature adjourned and had the voucher drawn in his own name and deposited the amount in his personal account in the bank at his home. Afterwards, about the time he met Browne or Wilson, he carried to Mrs. Powers the amount due to her, in cash, apparently using a portion of his boodle money for this purpose (pp. 400-401). This is the same Clark who was a member of the corrupt furniture committee (p. 348). Besides all this, we are not without plenty of corroborating testimony of the first class to establish the truthfulness of all the foregoing facts to which the guilty parties themselves bore testimony.

LORIMER was a Republican, and there were 89 Republicans in the house and 64 Democrats; in the senate, 38 Republicans and 13 Democrats. That is, there were present and voting on May 26 in the joint session of both houses 127 Republicans and 77 Democrats. Of these, LORIMER received 53 Democratic and 55 Republican votes. This was the ninety-fifth joint ballot, and until that time no Democrat had voted for LORIMER; 72 Republicans refused to give this Republican candidate their support, even though it was apparent that he had a sufficient number of votes, including the 53 Democratic votes he had secured, to make his election on that ballot an absolute certainty. This looks bad upon its face, and no reasonable justification has been made of it.

The statement of Holstlaw that on June 16 Senator Broderick in his saloon paid him \$2,500 Lorimer money is corroborated by Jarvis O. Newton, the chief clerk of the State Bank of Chicago, a disinterested witness, who swears that on June 16, 1909, the very day that Broderick paid this money to him, Holstlaw in person brought into that bank the sum of \$2,500 in currency, which he deposited to the credit of Holstlaw, Bank of Iuka, Illinois. Mr. Newton produced the original deposit slip, which was properly identified and received in evidence (pp. 410, 411).

Beckemeyer testified that he took the \$1,000 which Browne paid him in St. Louis on June 21 home with him and kept it in his safe a while and gradually changed it into smaller money at different places; that when he changed it into smaller money he would deposit it in his home bank or pay debts with it (p. 227); that when Wilson at St. Louis on the 15th day of July paid him \$900 of the jack-pot money, he deposited \$500 of it in the Commercial Trust Co., on Jefferson and Olive Streets, St. Louis (p. 228). In this he is corroborated by Mr. James J. Gray, a disinterested witness, residing at Belle Isle, Ill., who testified that late in July, 1909, he went with Mr. Beckemeyer to the Commercial Trust Co., to which Mr. Beckemeyer was a stranger, for the purpose of identifying him to the officers of the company, and that Beckemeyer deposited \$500, in which Mr. Gray noticed some \$100 bills (pp. 393, 394).

The hotel register of the Southern Hotel of St. Louis contains the signature of Representative Browne under date of Monday, June 21, 1909, and shows that he was assigned to room 661. This is the very day that Link, Beckemeyer, Shephard, Luke, and Clark met him there to receive their Lorimer money, pursuant to an appointment.

The hotel register of the Southern Hotel, under date of Thursday, July 15, 1909, contains the signature of Robert E. Wilson and shows that he was assigned to room 86. This is the very day that Wilson, pursuant to an appointment, met White, Beckemeyer, Link, Clark, Shephard, and Luke, and in the bathroom of his room gave to each the sum of \$900 in cash as their share of the jack-pot money. This is the strongest sort of corroborative testimony.

White testified that after Browne paid him \$900, the balance of his Lorimer money, at the Briggs House in Chicago on the 16th day of June, 1909, having paid him \$100 of the amount agreed upon before they left Springfield, he went to his home at O'Fallon, Ill., and that on June 18 he placed \$800 of it in an envelope and deposited it with the cashier of a department store known as the Grand Leader (p. 185). In this he is corroborated by a disinterested witness, Mr. Thomas Kirkpatrick, an employee of the department store just named. Mr. Kirkpatrick testified that in the latter part of June, 1909, late in the afternoon, White came into the store and asked him if he would take care of some money for him. Kirkpatrick went to the cashier of the store, Mr. Hollander, and asked him if he would take care of some money for White until the next morning and put it in the vault; the cashier said he would and handed Kirkpatrick an envelope which he gave to White. He says White counted out the money, in which Kirkpatrick saw some bills of large denomination, put them in the envelope, and marked "\$800" and his name on the envelope, and Kirkpatrick handed it to the cashier for him; that the next morning, about 9 or 10 o'clock, White came in and got the package (pp. 222, 223). This is certainly corroborating testimony of the strongest character from a disinterested witness. John W. Dennis, another disinterested witness residing at East St. Louis, Ill., testified that he saw White there in June, 1909, when he returned from Chicago, that he and White had been in the insurance and brokerage business together, and that there were some outstanding and unpaid bills; that upon White's return from Chicago he had money and settled up all of these bills; that he was present when White was paying the bills and saw him have some \$200 on the table at the time; that before White went to Chicago he had no money (pp. 262, 263).

Miss Mollie Vandever, a stenographer of East St. Louis, Ill., testified that in the month of June, 1909, she was employed by White as a stenographer in his office in East St. Louis. That about the 17th or 18th of June, 1909, White came into the office with a roll of bills of "different denominations—twenties, fifties, and tens. It seemed to be yellow-backed money, this gold-backed money."

Q. Did you see the money counted or have anything to do with counting the money?—A. I had something to do with disposing of the money.

Senator BURROWS. The question is, Did you count the money?—A. I did not count the money.

Q. What was done with the money?—A. Mr. White disposed of it, paying bills around about there—part of it.

Q. Did you receive any part of it?—A. I received \$50.50 (pp. 271, 272).

She then goes on to explain that White owed a considerable number of people there, herself among the number, and that she assisted him in making up a list of the debts, and that he used this money in paying up such bills. She went into the particulars and gave the names of the people whom he owed and with whom he settled (pp. 273, 274, 275, 276). This is strong corroborative testimony and is not disputed in the record. Part of the receipted bills so paid, under date of June 19, were received in evidence and appear on pages 179-183 of the printed testimony reported by the committee.

Now, Mr. President, the strength of all this testimony is not broken by the assertion that White, Beckemeyer, Holstlaw, and Link are self-confessed criminals. They are contemptible people, I readily grant that. But there is something here, when we consider all this testimony as a whole, so consistent with the theory that their votes for LORIMER were purchased votes, and so completely antagonistic to the theory that they were honest votes cast in honor for him, that I can not escape from the absolute conviction that these men betrayed their honor, blackened the fair name of their State, and for paltry dollars permitted Lee O'Neil Browne and John Broderick to sell them like pawns to Shurtleff and LORIMER. If this be true as to White, Beckemeyer, Holstlaw, and Link, it follows that it must be equally true of Luke, Clark, Shephard, and De Wolf. And if these eight men sold eight corrupt and dishonored votes to Robert E. Wilson, Lee O'Neil Browne, and John Broderick, then the votes of these three bribe givers were equally corrupt and dishonored, and the whole 11 should be taken away from the man who profited by their casting.

Mr. President, to my mind, the attempt of counsel for Mr. LORIMER to overcome the testimony produced to show that these votes were corruptly cast for him and to answer the testimony offered to impeach his election miserably fails of its purpose, and its only tendency is to further confirm and corroborate the proof that Mr. LORIMER was not lawfully elected to the high office of United States Senator.

The conduct of the witnesses upon whom Mr. LORIMER relies, as well as their manner of testifying, confirms the impression that they are just such men as one would expect to find giving and receiving bribes. Charles A. White is a bad man; a man whose character and conduct fill one with disgust and contempt. Lee O'Neil Browne is just as bad and more dangerous, because more powerful and more intelligent. For Browne and his friends to denounce White is for the pot to call the kettle black. After associating with White all winter at Springfield and making the corrupt bargain with him to vote for LORIMER, Browne wrote White two letters—one dated June 9, and one June 13—arranging to meet him at the Briggs House in Chicago (p. 53). He admits writing these letters, and they are in the record. On July 16 he wrote another letter to White explaining why Wilson instead of himself met White and his confederates at St. Louis the day before, saying he had been sick (p. 56). He admits writing this letter.

White is a spendthrift. As a member of the legislature he drew \$2,000 and mileage and \$50 for postage. He drew all of this before the last of February, 1909 (p. 178). He spent it all to pay debts and in debauchery, so that before leaving Springfield he was broke and Browne advanced him \$100 as part payment of his Lorimer money. Browne knew White's vices perfectly well. His admitted letters to White show this; but according to Browne's own testimony he was willing to make a crony of White. The fact is that while Browne was the older man, much more keen, more intelligent, and more forceful than White, nevertheless they were two of a kind. White was just the tool Browne wanted to make use of in his business. After White received the \$900 jack-pot money paid to him at St. Louis on July 15, Browne and he and a dissolute fellow named Zentner spent nearly a week in trips on Lake Michigan between Chicago and Waukegan and Chicago and St. Joseph and Benton Harbor in riotous living and drunken revels. After that was

all over White was again broke and began to write to Browne for money and to solicit a job of some sort from him and from Mr. LORIMER. Through Mr. LORIMER they secured a job for him in Chicago at \$75 per month, but he refused it. He wanted something more remunerative. Browne continued to write to him as to a pal. One of his letters is characteristic. It is as follows:

OTTAWA, ILL., September 9, 1909.

FRIEND CHARLES: Just got your letter. Am awfully sorry for you, old pal, because I know how true a good fellow and gentleman you are. Your fault, old pal, is in trying to go too — fast. You must cut it out for a while, old boy; do all I can to land you a job, but do not yet know when LORIMER will be able to do anything or, rather, when he will do anything. But I'll do all I can, Charlie. Am pretty hard up myself after the vacation we all had, but have managed to scratch out a fifty for you. Hope it will do some good anyway. I am down at the "grind" again, working like a slave. It's sure h—I after the "music and flowers" we had for a time this summer. But when a thing has got to be done I can always shut my teeth and go to it. It's the only way. It's hell, but that's the price one pays for most of the pleasure of life. I always did, at least. Good bye, old man, and God bless you. Wish I could do more for you.

Your friend,

LEE O'NEIL BROWNE.

P. S.—I hope you will do all you can to help James Morris, our old pal, pull through. He must win, he says.

When he got his Lorimer money, White, after paying debts at O'Fallon and East St. Louis, proceeded speedily to squander the rest in making presents, traveling about with cronies, whose expenses he paid, and for drink. He was a total failure as a business man. He was maintaining expensive offices in East St. Louis, one a real estate and insurance office and the other a collection agency, but he was doing no business in either. His ill-gotten gains were soon gone and he proceeded to demand more. Browne tried to silence him by cajolery and small loans, but as he fell lower White demanded more and at last he hit upon a scheme to extort money from Mr. LORIMER by a threat to expose the corrupt practices at Springfield through which Mr. LORIMER was elected. He did not succeed in getting money from Mr. LORIMER by this species of blackmail, so his next move was to give up all he knew to the Chicago Tribune for a valuable consideration, amounting to several thousand dollars. Of course you will say, "What a wretch he is," but that will not determine the question before the Senate, which is, Did he tell the truth in the story he gave to the public on April 30, 1910, through the Tribune? Have his claims been proven in these hearings?

The testimony taken before the committee and reported here convinces me beyond a reasonable doubt that he did tell the truth substantially as it was, no matter how much we may despise him, nor how great our contempt for the motives which prompted him to tell it. Why, the very conduct of the guilty parties, whom the published statement implicates, immediately before and after its publication corroborates it and convicts them. On December 4, 1909, White wrote his blackmailing letter to Mr. LORIMER. On November 5, 1909, he sent a telegram to Browne declining the \$75 position. I wish the committee was here. I want to call attention to this point. Here is a piece of the testimony that has gone out of the record. I do not want to comment on it in the absence of the committee.

Mr. BRISTOW. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from South Dakota yield to the Senator from Kansas?

Mr. CRAWFORD. Certainly.

Mr. BRISTOW. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|-------------|------------|-------------|--------------|
| Bacon | Crane | Johnston | Scott |
| Bailey | Crawford | Jones | Smith, Md. |
| Beveridge | Cullom | Kean | Smith, Mich. |
| Borah | Cummins | La Follette | Smith, S. C. |
| Bourne | Dillingham | Lodge | Smoot |
| Bradley | Dixon | Lorimer | Stephenson |
| Briggs | Elkins | Martin | Sutherland |
| Bristow | Fletcher | Nelson | Tallafiero |
| Brown | Flint | Page | Terrell |
| Burkett | Frye | Paynter | Warner |
| Burnham | Gallinger | Percy | Warren |
| Burton | Gamble | Perkins | Wetmore |
| Chamberlain | Guggenheim | Piles | |
| Clapp | Hale | Richardson | |
| Clark, Wyo. | Heyburn | Root | |

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. CRAWFORD. I hope some member of the committee is here, because I did not care to refer to the absence of one of the exhibits in any way that would be unfair, and possibly some member of the committee can account for its absence.

On December 4, 1909, White wrote his blackmailing letter to Mr. LORIMER. On November 5, 1909, he sent a telegram to Browne declining the \$75 position; and I make this comment: And there must have been something in that telegram to arouse the suspicions of Browne that White had become hostile, because it was produced by Judge Haney and marked as "Exhibit O," and was received in evidence; but for some reason was not given to the stenographer, and no copy of it appears in this record (p. 126).

If the committee will look at page 126 of the report, in connection with Exhibit O, they will find that exhibit is not there, and the stenographer says it was never handed to him. It is an important telegram, because it was the beginning of a declaration of independence from the old gang on the part of White, and its contents might have been significant. But it does not appear in the record.

Mr. BEVERIDGE. Perhaps some member of the committee remembers what was in it.

Mr. CRAWFORD. Does my colleague remember anything about the telegram or what was in it?

Mr. GAMBLE. No; I could not state, Mr. President. I remember that there were a number of telegrams, and letters as well, and I myself observed the omission of the telegram from the record in my reading of the testimony, and I was curious to know why it was not in the record.

Mr. CRAWFORD. On April 29 White made his agreement with the Tribune, and on the 30th his story was published. The conduct of the hoodlums when the exposure came furnishes very strong additional proof of their guilt. Beckemeyer lived at Carlyle, in Clinton County. A few days before the publication of White's story he received a telegram from all the Chicago newspapers, and on April 30 he was in Chicago and visited Representative Abrahams, the Browne Democrat and Chicago saloon keeper, who followed Browne, right or wrong, and whose answers at roll call were all the gang needed to indicate how they were to vote. He visited Abrahams at his place of business, and they talked about the LORIMER election. Then on May 2 he sent a telegram to the Chicago News from his home at Carlyle, in which he denied any knowledge of the jack pot or of money being used for LORIMER. This telegram was probably inspired by Manny Abrahams (pp. 230, 231). A saloon keeper from Carlyle, named Welch, was with Beckemeyer when he visited Abrahams on April 30. Beckemeyer told Abrahams that he and Welch had been away from home fishing, and said: "But we do not want anybody to know what we are at." He added:

I don't know where I am at with that story of White's; don't tell anybody I was here (pp. 231, 232).

Just before White's story was published, but after the hoodlums discovered that trouble was ahead, Representative Robert E. Wilson, the Chicago Democrat who distributed the jack-pot fund at the hotel in St. Louis, and Beckemeyer met each other in Springfield. Representative Joe Clark met with them. Beckemeyer had received a call from White and a detective employed by the Tribune, who had made some embarrassing inquiries, and he had become disturbed. White and this detective had visited him about 10 days before the White exposure was published, and he at once made the appointment with Wilson and Clark to meet him in Springfield. At this meeting these three men agreed that, for the purpose of manufacturing testimony to be used for the purpose of showing that the meeting at the Southern Hotel in St. Louis on July 21, 1909, was not held for the purpose of dividing the jack pot, but was held for the laudable purpose of discussing the propriety of giving a banquet to Minority Leader Lee O'Neil Browne, Mr. Wilson should send a letter to each of the men who met him there and date it prior to July 21, 1909, so that they might use it for defensive purposes. Pursuant to this agreement Beckemeyer, during the first week in May, 1910, received from Wilson the following letter, dated June 26, 1909:

CHICAGO, June 26, 1909.

Hon. H. C. BECKEMEYER, Carlyle, Ill.

FRIEND BECKEMEYER: Doc. Allison was speaking to me regarding getting up a banquet for Lee in his home town, Ottawa, and asked that I take the matter up with some of the boys. I expect to go to St. Louis in the near future in connection with our submerged land committee, and will advise you in advance as to when I will be there, and would like for you to meet me.

With best wishes, I am,
Very truly, yours,

ROBERT E. WILSON.

The Doc. Allison referred to was one of the Browne Democrats who voted for Mr. LORIMER (pp. 402, 403).

The PRESIDING OFFICER. The Senator from South Dakota will suspend for a moment while the Chair lays before the Senate the unfinished business, the hour of 2 o'clock having arrived. It will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce."

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it will be so ordered. The Chair hears none. The Senator from South Dakota will proceed.

Mr. CRAWFORD. Beckemeyer, of Carlyle, Joe Clark, of Vandalia, and Robert E. Wilson, of Chicago, met at Springfield in the last of April, 1910, and decided to manufacture this beautiful piece of testimony, and Beckemeyer received this fake letter from Wilson in the first week of May, 1910, though it is dated June 26, 1909. He destroyed the envelope in which he received it. For the same purpose and about the same time Wilson sent a similar fake letter to Representative Link and to the other jack-pot boodlers (p. 374). Very soon after Beckemeyer had this meeting with Wilson and Clark at Springfield he called Clark up by telephone and made an appointment to meet him at Centralia. They had the appointed meeting, and he consulted with Clark as to the advisability of his testifying that he was not in St. Louis at all on the 15th of July. Clark agreed that it would be all right for him to do so (p. 403). Speaking of the fake letter, Beckemeyer testified as follows:

Senator JOHNSTON. I want to ask a question. This letter that was shown you you say was dated one year later?

Mr. AUSTRIAN. Dated in 1909 and written in 1910—one year early?

A. Now, I guess it was written in that year; I received it at that time.

Q. It came through the mail?—A. Yes, sir.

Q. What became of the envelope?—A. I threw it in the wastebasket.

Q. Did you know this letter was antedated when you received it?—A. Yes, sir.

Q. Did it occur to you that the envelope was material to establish that fact?—A. It did.

Q. Why didn't you save it?—A. It occurred to me that it would be material at that time. I intended to use the letter; I had gotten it in 1910 instead of 1909.

Senator FRAZIER. Is that the reason that you destroyed the envelope?—A. Yes, sir.

Q. You wanted it to appear, then, that the letter had really been written in 1909 and received in 1909?—A. I did at that time; yes, sir (pp. 409, 410).

Notwithstanding he had armed himself with this fake letter to explain that his visit to St. Louis on July 21, 1909, was for a lawful purpose, this man, after his conference with Clark at Centralia, concluded to deny that he was at St. Louis at all, and the first time he went before the grand jury in Cook County he swore that he was not in St. Louis on that day. For this he was indicted for perjury (p. 253).

Link pursued the same course. Notwithstanding he had one of the fake letters, the first time he went before the grand jury in Cook County he denied meeting the other boodlers in St. Louis, and he was indicted for perjury (p. 291). This was the course advised by Clark at the Centralia meeting with Beckemeyer. Clark admits that he met Beckemeyer there; also that he met Wilson at Springfield (pp. 355-356); and admits that he and Wilson talked about White and the detective being around looking up matters; and that while in Springfield he—Clark—had gone in an automobile to see Mr. Morris, a Democratic member of the legislature (p. 356). These acts of Beckemeyer, Link, Wilson, Clark, and Manny Abrahams holding hurried meetings and conferences in Chicago, in Springfield, and in Centralia, the attempt of Beckemeyer to keep out of sight, the manufacturing of false testimony for the use of Link and Beckemeyer, their perjury when first called before the grand jury, simply add to the overwhelming testimony already massed against them.

Senator John Broderick, the Chicago saloon keeper, who paid the \$2,500 to Senator Holstlaw on June 16 and the \$700 some weeks later, told his story before the committee. Both his conduct and his testimony strengthen the case against the boodlers. He was a reluctant witness; it was with the greatest difficulty that he was reached by subpoena and his attendance compelled. He declined to answer question after question on the ground that the answers might be used against him in the coming trial pending against him at Springfield for boodling in the furniture deal. Here are some of the instances in which he deemed it best to remain silent:

Q. Did you ever write to him (Holstlaw) to call on you?

The WITNESS. I refuse to answer (p. 551, 556).

Q. On what ground do you refuse to answer?—A. On the ground that I would be compelled to give testimony against myself (p. 557).

Q. Mr. Broderick, did you ever have any occasion to write Mr. D. W. Holstlaw in the month of August to call upon you?—A. I refuse to answer on the same ground as I said before.

Q. Mr. Broderick, when did Mr. Holstlaw come to see you?—A. Well, I don't exactly remember the date, but he was in my place when I came in there.

Q. Had he come in response to any invitation from you to him?—A. I refuse to answer.

Q. If he came to see you during the month of June or July, 1909, did he come on his own volition or at your request?—A. I refuse to answer (p. 557).

Q. How long was he in your place?—A. Possibly a half or three-quarters of an hour.

Q. And he talked to no one but you, eh?—A. I refuse to answer.

Q. I say did you write to him—Holstlaw—did you fix the time?—A. I refuse to answer (p. 563).

By Senator FRAZIER:

Q. Now, you have declined to answer whether you notified Mr. Holstlaw to come to your place of business?—A. Yes, sir.

Q. You still decline to answer?—A. Yes, sir.

Q. Where did he remain during the time, what part of your place during the entire time he was at your place of business?—A. Mostly down at the lower end of the bar.

Q. In the bar room?—A. In the bar room; yes, sir.

Q. Was anyone else present there?—A. Yes, sir.

Q. Who?—A. I refuse to answer (p. 567).

Q. Did you ever notify him that you wanted to see him in any matter?—A. No, sir; not on any matter. Well, now, that is one of the questions I refused to answer a while ago.

Senator FRAZIER. You have already answered it.

WITNESS. I know, but I ask leave to correct that or withdraw that answer.

Senator BURROWS. You withdraw your answer to the question?—A. I desire to withdraw the answer to that question; yes (p. 567-568).

Ah, Mr. President, this is not an honest witness. He did not care to say that he had not sent a telegram or letter to Holstlaw requesting him to come to Chicago before the \$2,500 was paid to him, because he feared the letter or telegram might be produced. Otherwise, he would have been perfectly willing to lie about it.

Robert E. Wilson, the man who distributed the jack-pot swag at St. Louis, skipped to Canada and dodged the committee and its subpoena during the entire hearing in Chicago. But they feared the effect his default would have upon this case and at last produced him in Washington on December 7. He admitted that he left Chicago after seeing Browne at the Briggs House on July 14, 1909, and that he arrived at St. Louis on the morning of July 15 and took a room at the Southern Hotel. He says that he left St. Louis for Chicago about noon of the same day (p. 723); that he met Beckemeyer, Shephard, Link, Luke, Clark, and White, and he supposes that he made some arrangement to meet them, either by phone or letter, or some communication (p. 723).

Q. Now, isn't it a fact that you notified all of the southern Illinois members through Mike Giblin, L. O'Neil Browne's secretary?—A. No, sir.

Q. Did not notify any of them through Mike Giblin?—A. I will not say I did not.

Q. Didn't you notify each one of them by telegram through Mike Giblin, and ask for a reply?—A. It might be possible I got Mike Giblin to send this telegram; I am not sure. I probably said before the grand jury of Cook County that I notified these men through Giblin, Browne's secretary (p. 724). The submerged land committee of which I was a member did not meet in St. Louis. I went there to see these southern Illinois members with regard to a banquet to Lee O'Neil Browne.

This witness said he went on his own initiative, and yet he could not repeat any of the conversation he had with any one member there about a banquet (p. 729). He said he remembered calling Shephard into the bathroom, but does not know what they talked about. He dodged questions and made evasive answers, as the following example (p. 730) shows:

Q. But you have no recollection what the discussion was?—A. You asked me when he—what he said before this committee or before the grand jury.

Q. I am asking you if you know what you said in the bathroom. I am not asking about Shephard's testimony; I am asking whether you know what discussion you had on that occasion?—A. The only way I can get at it is the telegram; I can not say as to his testimony before the grand jury.

Q. I am not asking you about the testimony before the grand jury, but White said certain things—A. He said that Browne—

Q. You do not know what you said to him in the bathroom at all?—A. No; I do not.

Wilson admitted meeting Clark and Beckemeyer in Springfield after White and a detective had been at their homes looking up testimony and just before White's story was published, and that he discussed the matter with them (pp. 734, 735). He admitted that in this meeting between himself and Beckemeyer at Springfield, just before the scandal came out, they discussed the investigation which they had discovered to be going on, and he also admitted that on the Sunday before he met these men in Springfield he had met Shephard in Chicago; that he and Dawson—the lawyer who appears in the pending criminal cases for him and for Broderick—met Shephard at the Briggs House on that Sunday; that Browne joined them in the lobby, and that the subject of the investigation by the detective came up (pp. 738, 739).

Wilson also admitted that when he went to the Southern Hotel in St. Louis, on July 21, 1909, he remained only a few hours and did not take a meal or remain overnight; yet he registered and engaged a room with a bath, and met the boodlers in that room and had a private conference with them in the bathroom (pp. 741, 743).

These facts all tend strongly to corroborate the story told by Charles A. White. The testimony of Lee O'Neil Browne is better corroboration still. He admitted that he knew that Wilson was going to St. Louis on the 15th or 16th of July, 1909, to meet the southern Illinois members, and that he himself would have gone except for the fact that he was sick, and that he wrote one or two and possibly more letters regretting that he could not be there (p. 599). He admits that he did go to St. Louis on the 21st of June, 1909; that he took a room there at the Southern Hotel, and that he met Shephard, Link, Beckemeyer, Luke, and, he thinks, Clark also there; that the meeting was by appointment (pp. 603, 604). But when it comes to his explanation of the purpose for which he met these men, he is a dodger. He was asked:

Q. Can you tell us anything you said to any one of these men or any one of these men said to you at that conference that you had with them in the Southern Hotel at St. Louis on the 21st day of June?

This is a very shrewd man—one of the shrewdest.

A. You ask me if I can tell any specific conversations there, in substance or in words, I say no; if you ask me what we talked about, I can tell you.

Q. Well, tell us.—A. I have; just what I went there to talk about.

Q. And nothing else?—A. Yes, sir.

Q. Well, tell us the rest.—A. Why, I remember we discussed—Mike Link and I discussed the question of racing horses for one thing and stock. I had never been in St. Louis but twice in my life, and I was prepared to stay a couple of days there and visit in the town if any of them would have stayed and been a companion, all of them; but none evinced any disposition; either business matters or something else prevented, and I left that night (p. 607).

He did not invite White to that meeting, because he had already paid him his \$1,000. White was not there for that reason. The men dropped in one at a time and stayed only a little while and then left, and Browne himself left the same day he came. The business was done quickly and quietly (p. 607). Yet this man would have us believe he went there to stay two or three days and to have a social visit and talk politics. He had left these men at Springfield at the close of a long session of the legislature only about two weeks before this. Does anyone believe that he called these men together in St. Louis for the purpose of having a mere social or political chat with them and that he would have left a few hours after his arrival there if that had been the purpose of the meeting?

To show that Browne has a remarkably accurate memory and that he could have detailed the conversations he had with these men at St. Louis if he had dared to do so, I now quote from another portion of his testimony given before the committee on the 6th day of October, 1910, in regard to what occurred in the St. Nicholas Hotel in Springfield on the night of May 24, 1909, 16 months before. He says:

The 24th day of May, 1909, was on Monday. I came to Springfield the day before, Sunday the 23d, and registered at the St. Nicholas Hotel and occupied my usual quarters. I did not see Mr. White during the day of the 24th. The Alton train, known as the Kansas City Hummer, or K. C. Hummer, is due in Springfield at 11:15 at night. That is the train people interested in legislative matters and members that come by the Alton usually come on. On the night of May 24 Dr. Thomas Dawson came down on that train. I met him in the lobby of the hotel when he came in. The train was late that night and, as I have discovered, did not get to Springfield until, as I remember, 11:41. I talked with Mr. Dawson some time in the lobby of the hotel, asking him to do something for me, which he did there in the lobby, speaking to a certain person there for me; all of this before he registered. Thereafter he registered and was assigned to a room at the St. Nicholas Hotel. Mr. White did not register until after Mr. Dawson did, his name appearing immediately after Mr. Dawson's, so that Mr. White could not have had a room that night at the St. Nicholas Hotel before he registered and he could not have registered before midnight. I might have seen Mr. White after midnight at my room (p. 627).

A man whose memory is so clear and so accurate that he can go back 16 months and say his train was late and arrived at 11:41, and tell the order of registration among acquaintances, could have told us something about this conversation in the room in the hotel in St. Louis had he wanted to do so. But he dodged every question.

It is clear that Browne was not at all frank and truthful concerning what occurred at the St. Louis meeting on June 21, 1909. He could have given the details if he had cared to do so.

Browne says that White was a man of very ordinary education and that he could not spell well. But after Mr. LORIMER's election a letter purporting to be from White was sent to Mr. Kern, editor of the Belleville Democrat, complimenting him upon the stand his paper had taken justifying the election of Mr. LORIMER. This letter says:

It gives me pleasure to know that there are men in public life, prominent in the Democratic Party, who can look upon a situation of this character with as broad and liberal views as you have expressed yourself through the editorial of your valuable paper. The Republican Party of this State is, as has been demonstrated in this present session of the legislature, divided in such a manner that it was practically impossible beyond any reasonable doubt for them to settle this long

and expensive drawn-out contest, and feeling that the State of Illinois should be represented in the United States Senate during those critical moments by a man from this State, I felt it a public duty, after careful conference with older and more experienced workers in the Democratic ranks, to cast my vote for the Hon. WILLIAM LORIMER for United States Senator (p. 633).

White says that Browne helped him to get up this letter. That he talked with Browne about it first and dictated it accordingly to what he was told to put in it; that he then submitted it to Browne, who made some changes in it, and that he then dictated it over again (p. 412).

The testimony offered in behalf of Mr. LORIMER to disprove the charge that he was not elected by legal votes may be classified as follows:

First. Into testimony offered to directly impeach White and to show that he invented the story he has told for blackmailing purposes.

Second. Denials by Browne, Broderick, and Wilson that they paid or agreed to pay any money or thing of value whatsoever to any person as a consideration for his vote for Mr. LORIMER and a denial by Link and by Holtslaw that the money received by them was the inducement which caused them to vote for him.

Third. Attempts to prove that Link, Beckemeyer, Holtslaw, and Shephard were placed under duress by the State's attorney of Cook County and his assistants and officers controlled by them, and that by means of threats these men were compelled to testify falsely that they had received money from Browne, Wilson, and Broderick.

Fourth. That the testimony upon which the charges are based is false and was suborned by the men who represent the Chicago Tribune and by the State's attorney of Cook County, who entered into a conspiracy to destroy Mr. LORIMER.

The testimony produced to establish these claims made in behalf of Mr. LORIMER does show the following facts:

That in a letter to Browne, dated October 1, 1909, White said that he was down and out financially. He closed the letter by using the following significant words: "Don't be surprised in the future at any action that I may take" (p. 122).

That on or about the 23d day of October, 1909, he went to Mr. Edwin R. Wright, president of the Illinois State Federation of Labor, who is a printer by trade, and told him he had written a story about his experience in the legislature; that Everybody's Magazine had declined to publish it, and that he wanted to dispose of it for publication. Wright asked him about the nature of the story and learned that it would contain the names of several prominent politicians. He recommended the Record-Herald and the Chicago Tribune as newspapers that might buy the story (p. 346).

On December 4 White wrote a letter to Mr. LORIMER, in which he told him he was preparing to publish an article giving his experience as a member of the Illinois Legislature; that it would appear in book form or in one of the largest magazines; that he had been offered a sum sufficient to value the manuscript at \$2.50 per word (p. 125). This letter was no doubt written for the purpose of getting some hush money out of Mr. LORIMER. He then tried to sell his story to several magazines, but could not get what he wanted. Finally, about the 1st of March, he went to the Tribune and submitted the manuscript to its managers. They asked for time to investigate it, and finally on April 20 made the following agreement with him (record, p. 104):

THE CHICAGO TRIBUNE, OFFICE OF PUBLISHER.
Chicago, Ill., April 29, 1910.

To CHARLES A. WHITE:

You offered to sell to us for publication a story written by you, which story gives your experiences while a member of the House of Representatives of Illinois during 1909-10, and giving also certain information as to what transpired by reason of your voting for certain measures, etc., while a member of such house.

We refused to pay you for that story or to print the same unless such story was verified and corroborated by persons selected by the Tribune.

For more than four weeks we, with your cooperation, through different agencies, have caused your story to be fully investigated. For the sole and exclusive right hereby granted by you to the Tribune Co. to publish this story or a revision thereof or excerpts therefrom in the Chicago Tribune, and copyright it either in your name or in that of the Tribune Co., but which shall be at our election, and also in full compensation for the time already spent by you in assisting us in obtaining corroborative evidence of the facts contained in this story, and in full payment for all your time which shall be devoted by you to further substantiate this story at any time, which time you hereby agree to devote to that purpose as and when called upon so to do, the Tribune Co. hereby agrees to pay you \$3,250, of which said sum \$1,250 shall be paid upon the printing of the said story or the first installment thereof, \$1,000 30 days after said first payment, and \$1,000 60 days thereafter.

You reserve to yourself all book or other rights to the story other than the exclusive newspaper rights hereinbefore referred to, which belong under the terms hereof to the Tribune Co.

J. KEELY,
Vice President Tribune Co.

CHICAGO, ILL., April —, 1910.

To the Chicago Tribune and the Tribune Co.

GENTLEMEN: I have read the above and foregoing and agree to the terms thereof, and to accept the sums of money as therein set forth, and I further agree to devote my time and services to substantiate the story referred to as and when requested by you so to do, and in such manner as you may direct.

CHAS. A. WHITE.

The Tribune, after carefully investigating the facts which furnished the basis for White's story, had become convinced of its truthfulness. It published a condensation of the story on April 30. No suit for libel appears to have been commenced by anyone based upon what was published. White got \$3,250 from the Tribune for the story, and, so far as he is concerned, his highest motive in selling it was to get money for it. It does not follow, however, that the story is not true.

In March, 1910, White told the substance of this story to the State's attorney of Cook County, after he had submitted it to the Tribune (p. 112). He was placed in the custody of an officer, but not indicted (p. 113). The officer took him and went to various places in Illinois, Michigan, Wisconsin, and Minnesota, running down testimony to substantiate what White had told. The officer paid for transportation and hotel bills (p. 113). When White left his manuscript with the Tribune he said he did not know whether other members of the legislature would corroborate his story or not (p. 156). For about two months before publishing it, the Tribune, by its attorney and detectives, along with White, were investigating White's charges and White's expenses were paid by that concern (p. 156). White says he did not know that anyone would corroborate his story by confessing, but that he did know there were others guilty from what they had told him (p. 157). Mr. Keeley, of the Tribune, advised him to consult with the State's attorney about the matter (p. 158), and he did so. This was early in March. A detective named Turner was sent by the State's attorney along with him to make an investigation (p. 159). Different detectives traveled about with him at different times and to different places in the city and out of the city (p. 160). They went to some of the members in southern Illinois, to Beckemeyer, Clark, Shephard, and Link, and talked with them, and they examined bank checks and hotel registers. Before making the written agreement with White, the Tribune advanced the sum of \$250 to cover his incidental expenses and for his time in making this preliminary investigation (p. 166). There is nothing in all that to impeach his testimony. The State's attorney was entirely justified in making a thorough investigation of the serious charges preferred by White and would have come short in the performance of his duty if he had not done so.

I would like to have lawyers pay attention to this question as to the admissibility of testimony.

The testimony offered to impeach White also shows that he had two friends—young men—named Sidney and Otis Yarborough; that he procured a job of some sort for Otis at Springfield while the legislature was in session, and that Sidney, who lived in Chicago, frequently came to Springfield during the session, riding sometimes, it appears, upon White's railroad pass. White says he had two beds in his room in the St. Nicholas Hotel in Springfield, and that these boys sometimes slept in his room. He testified that on the night of May 24 Lee O'Neil Browne came to his room to talk with him, and that Sidney and Otis Yarborough were there in bed; that Browne remarked that there were three in the room and invited White to come to his room; that he thereupon went to Browne's room, where Browne told him he would get \$1,000 for voting for LORIMER and nearly as much from "other sources" (p. 140, 141). No attempt was made to prove that Otis Yarborough was not in White's room, just as White said he was, but several witnesses were placed on the stand to prove that Sidney was in Chicago that night, and therefore could not have been in White's room at Springfield. Pages of testimony were introduced to impeach White upon this collateral and immaterial point. The testimony received for this purpose is far from satisfactory. The witnesses called for the purpose of proving that Sidney Yarborough was in Chicago during the night of May 24 were a street-car motorman in Chicago named Gloss, his wife, and a street-car conductor named Bell. To show that in this instance the attempt to impeach White relates to a collateral and immaterial issue, I will quote that part of the direct and cross examination of White, which is as follows:

DIRECT EXAMINATION OF WHITE, PAGES 39 AND 40.

Q. Did you at any time have any talk with Lee O'Neil Browne, the same Browne I have heretofore referred to, with reference to voting for WILLIAM LORIMER for United States Senator?—A. Yes, sir.

Q. When did you have your first talk?—A. On the night of May 24, 1909.

Q. Whereabouts?—A. In his room in the St. Nicholas Hotel in Springfield, Ill.

That is all the direct examination on that question; not a word asked in the direct examination about Sidney and Otis Yarborough being in bed in his room. Now, here is the cross-examination:

CROSS-EXAMINATION, PAGES 140 AND 141.

Q. Mr. White, you testified on your direct examination here that Mr. Browne first talked with you about voting for Mr. LORIMER for Senator on the—first had the conversation with you in your room at the St. Nicholas Hotel in room 133, I think, on the night of the 24th of May, 1909?—A. No; Mr. Browne came to my room, 133, and invited me to his room, where the conversation took place.

Q. Who was in your room when Lee O'Neil Browne went there and asked you to come to his room?

Mr. AUSTRIAN. I object to that as immaterial. That does not tend to prove any issue in the case. I have not asked him who was in his room at the time.

Mr. BURROWS. The testimony will be admitted for the present.

Q. Who was in your room at the time that Lee O'Neil Browne went in your room on the night of the 24th of May, 1909?—A. Otis Yarborough and Sidney Yarborough.

Q. Where was Sidney and Otis Yarborough when you say Browne came into your room on that night?—A. In bed.

Q. Together?—A. Yes, sir.

Q. Did Browne have any talk with you in their room at that time?—A. Oh, he said a few words; he made some little jocular joke about three being in the room and invited me to go to his room, he wanted to talk with me.

Now, Senators will notice that the conversation with Browne was not had in White's room; they left that room and went to Browne's room, and the conversation occurred there in the absence of the Yarborough boys.

It is not material whether the two Yarboroughs or only one of them slept in White's room that night. Both were frequently with him in Springfield, and he might have been honestly mistaken about both being there that particular night. That Otis was there is not disputed. It is immaterial whether Sidney was there or not. The rule is so well settled that a witness can not be impeached upon a collateral and immaterial question that I do not believe this labored attempt to show by three witnesses that Sidney was not in Springfield that night accomplishes anything for Mr. LORIMER's side of this case.

It was also shown that White paid some attention to a young lady who kept a cigar stand in the hotel in East St. Louis, and on several occasions when he was in her company he told her he was writing a history of his life and of the legislature; that the Lorimer bunch would have to pay him money enough to keep him the rest of his life, and if the Lorimer bunch did not do it he would make it hot for LORIMER; that rich people in Chicago were backing him; that he had spent \$3,000 in money and a lot of time making the history and he was going to get it back; that he would not land in the penitentiary, because he had influential friends who would protect him (p. 527); that he also told a man named Rossell in Chicago one day in the spring of 1910, when Rossell asked him if he was not "flying pretty high," that he was, but that he was going to fly a good deal higher before he was through; that they had given him the worst of it in the legislature and he was going to make them put him on easy street or he would make it d—d hot for them; that he didn't care a d—d for them; he was looking out for Charley White (p. 452).

White, of course, denies that he made these statements, but I believe he did make them, and I believe that they truthfully express his real purpose. He was no doubt drunk when he made them, and there was some swagger and braggadocio about it, but he probably said substantially what these witnesses say he did. This does not, however, as I view it, tend to help Mr. LORIMER's case, but quite the contrary. White was possessed of guilty knowledge. He knew there had been corruption in the legislature; he had participated in it himself. He knew that money had been paid for votes; he had received some of that money himself. He believed that he could capitalize his knowledge by making the beneficiaries pay him for silence. When under the influence of liquor he talked indiscreetly about it, but he was telling the truth just the same. These maudlin admissions of his are evidence against his fellow boodlers as well as against himself, and corroborate rather than impeach the story he gave to the Tribune and to the State's attorney of Cook County. For a similar purpose two witnesses, James W. Doyle, representing a labor organization before the legislature, and Thomas Curran, a member of the legislature, testified that during the session White came to them with corrupt proposals to hold up certain bills for mercenary purposes (pp. 463, 581). He denies this, but I am inclined to believe the statements of Doyle and Curran. But the effect of the testimony of these witnesses on my mind is to confirm my belief that there was corruption in the atmosphere at Springfield; that booting and grafting were going on among the members; that votes were being bought and sold, and that White was in the market. He was a little bolder, a little more shameless, and a little more indiscreet than others, but there were others,

and he knew it. Finally, through his boldness and brazen effrontery the whole miserable story came out, and this testimony fits perfectly into the rest, and the whole proves that White's story, disgusting and repulsive as it is, is true.

Two other witnesses—William H. Stermer, assistant manager of the Briggs House, in Chicago, and Fred Zentner, a traveling man, both very intimate friends of Lee O'Neil Browne—have given testimony against White that has all the earmarks of falsehood upon it. It looks very much like testimony "made to order" to fit the occasion. According to the testimony of these two men, they had a conversation with White in the buffet of the Briggs House about midnight, August 19, 1909. Browne, White, and Zentner had just returned from one of their trips on Lake Michigan. Browne had gone to bed or was out somewhere and White and Zentner were drunk. They had been drinking all day, and during the evening Stermer had been drinking with them. Stermer and Zentner both testify in language almost identical in the smallest detail that White told them he was going to take a trip in the fall; that he was going home and from there to New Orleans and Cuba and then to New York, where he was going to have a big time; that they said to him, "You must have a lot of money to spend for anything like that;" that White replied, "No; I have not a lot of money, but I am going to get it without working; that Lorimer crowd and our old pal Browne, too, have got to come across good and hard when I say the word, and I am going to say it;" that Zentner then asked him, "Have you got something on them?" To which White replied, "No, I ain't; I got the worst of it down there in Springfield, but that makes no difference. I voted for LORIMER, and I am a Democrat, and I can say I got money for voting for LORIMER. Do you suppose they can stand it for a moment? I guess they will cough up when I say the word to them. I am looking out for White, and, besides, Browne would not have to pay. That bunch behind him would have to, and it would not hurt him" (pp. 531, 543).

The date these two witnesses gave their testimony was October 5, 1910. The date when they claim to have had this conversation was August 17, 1909. They had not repeated the conversation nor talked about it to anyone, nor with each other, until May 1, 1910, after Browne was indicted. They each testified at both of the trials of Browne in Cook County and testified before this committee; there is a studied exactness and identity in the use of words by each witness upon each occasion that could only be expected from witnesses who have conned their lesson too much and who recite it too well. For this man Zentner, who was drunk when the alleged conversation with White occurred, and who had been on a bum for nearly a week, to be able, months afterwards, to repeat it word for word in precise and exact detail, is to prove that this testimony was manufactured for the occasion. I am convinced that White never told these men that he "did not have anything on the Lorimer crowd." On every other occasion when he was drunk and, in maudlin fashion, was truthfully telling what was in his mind, he said he did "have something on them." Except for this one thing, these alleged conversations with Stermer and Zentner, if they occurred, corroborate his main story, just as his talks with the cigar girl and with Curran and Doyle corroborate it.

The following is another instance in which an attempt is made to impeach White, and where I am thoroughly convinced that the evidence is false: To disprove White's statement that he received \$900 from Lee O'Neil Browne at the Briggs House, in Chicago, on the 15th and 16th of June, 1909, Browne testified that on the 17th of June he had a talk with White in the lobby of that hotel; that it occurred in the open lobby, within 20 feet of the clerk's desk, a few feet in front of one of two big pillars that stand there; that it was in plain view of everybody in the lobby; that it occurred about noon; that White came up to him there and said, "Lee, I am going home to-day; I want to see you after a little bit;" that he replied, "You can just as well see me now;" that they stepped to one side a few feet and White said, "Can you let me have a little money? I am a little shy or a little hard up;" that he replied, "How much do you want?" White said \$25 or \$30, or some small amount less than \$50, and that he put his hand down in his pocket, his left-hand pocket, and pulled out a small roll of paper money, counting off either \$25 or \$30, which he gave to White, who took the money, bade him good-by and walked away, and that was the last he saw of him. That he did not pay him any money at all, except this small sum (p. 644). To corroborate this testimony of Browne and to impeach White's testimony that Browne paid him \$900 at the Briggs Hotel, a witness named Charles H. Simmons testified on the 7th of October that he had been associated with a man named Farley, a race-horse man, who was

indicted at Detroit for running ringers on the Detroit track. Farley and Simmons had joined together in a raid of some sort on the race tracks of Chicago. In 1909 Simmons knew neither White nor Browne by sight; had never met either of them personally, and knew nothing of them by reputation. Nothing whatever had happened between June 17, 1909, and May 1, 1910, to call to his mind that he had been in the Briggs House on the 17th of June, 1909, and seen Browne and White there; but on October 7, 1910, this man testified that he was in the Briggs House on the 17th of June, 1909; that between 12 and half past 12 o'clock he heard a conversation between Browne and White; that it occurred in the public rotunda; that he saw these men step aside from some other gentlemen, and heard the following conversation between them: That Mr. White said, "I am going home and I am broke. Can you let me have a little money?" Mr. Browne replied, "I haven't much. How much do you want?" Browne took some money out of his pocket and handed White a few \$5 bills, about \$25; that White bade Browne good-by and went away (p. 669). Simmons says that he did not see either of these men again until the Browne trials, over a year afterwards; that he went to the Briggs House to see a man named Walsh that he supposed was there; that on the following day he was to have a meeting of the board of directors of a new company he was organizing, and he had heard that Walsh had been successful in some operations out West, and he wanted him for a director, and went to the Briggs House to see him (pp. 669, 670). He says he got a call to go to the Briggs House that day, but he does not know who it was from; that he went up to the desk; that Walsh was not there and he did not meet him until about three months after that (p. 671). The first time that Simmons recalled this circumstance was in May, 1910, when he saw Browne's picture in a newspaper, and he says he told it to Mr. Ayers, a friend of Browne; that he then met Browne at the office of Mr. Ayers and gave him the benefit of the story.

Now, I do not believe that this man Simmons is telling the truth. I have tried a few lawsuits before country juries and have judged the truthfulness of one witness as against the falsehood of another, and I do not believe a word of this story.

Browne and White were total strangers to him. He did not go to the Briggs House to see them, if he went there at all. He was there on business of his own with another man. The lobby of a Chicago hotel always has groups of men standing about in it; there was nothing whatever unusual in the circumstance he narrates to attract the attention of a person accustomed to seeing the usual crowd in a hotel lobby; nothing happened to call the matter to his mind for 14 or 15 months after it occurred, and then he claims to have told it for the first time to Ayers, an attorney for Browne, and to Browne himself, who was desperately in need of testimony just then. The story of this man is lacking in the elements that convince, and, in my opinion, it is not entitled to any weight whatever. When one looks at all this testimony offered to impeach White and considers it as a part of the whole story, the general effect of it is not to impeach the truthfulness of the main story as told by White, but rather to strongly corroborate and confirm it.

I now come to my next grouping of the testimony offered in behalf of Mr. LORIMER, namely, the denials of Browne, Broderick, and Wilson of the charge that they paid money to certain members as a consideration for their votes for him. Four witnesses have admitted under solemn oath that they received money from these men soon after the legislature adjourned. Holstlaw says that on June 16 he received \$2,500 from Broderick, and that in the latter part of July he received \$700 more from Broderick. The chief clerk of the State Bank of Chicago—this is a little review—Jarvis O. Newton, testified that on the 16th day of July Holstlaw personally came into that bank and deposited \$2,500; the identical deposit slip made by him at the time is in evidence. Holstlaw says that Broderick told him there was \$2,500 in it for him if he voted for LORIMER. He says Broderick sent him a letter or telegram to come to Chicago before he appeared there, and got the money on the 16th of June, and that he came pursuant to that notice. Broderick does not deny sending him such a letter, but denies paying him the money. Senator FRAZIER brought out the transaction between these men on June 16 very neatly by the following questions to Holstlaw (p. 210):

- Q. Well, what occurred?—A. Well, he handed me \$2,500.
Q. Did he count it out to you?—A. Yes, sir; he counted it.
Q. Did you count it?—A. I did not take hold of the money, but I just ran over it as he did.
Q. What did he say?—A. He said, "There is that \$2,500."
Q. Did you make any response at all?—A. I didn't say anything at all.
Q. Just took the money?—A. Just took the money.
Q. What did you do with it?—A. I took it and put it in the bank.
Q. Did Mr. Broderick owe you anything at that time?—A. No, sir.

Q. The only occasion you had—the only connection you ever had with Mr. Broderick about the \$2,500 was the conversation you had with him on the night of the 25th?—A. That is all.

Q. And it was a strictly shut-mouth business between you and Broderick?—A. Yes, sir.

Q. And you got the money?—A. Yes.

Q. And kept it?—A. Yes, sir.

Mr. President, this is not the way men act in an honest transaction; this was a guilty transaction between guilty men. Holstlaw had sold his vote and was now receiving his pay for it. In the face of this testimony, and the strong and undisputed corroborative testimony, of what avail is it for Senator John Broderick to deny the payment of money to Holstlaw? Browne denies paying any money for votes or for any other purpose to Link and Beckemeyer and White. But these three men squarely contradict him, and each tells the facts in detail in his own way, and these facts all dovetail together, as true facts related to each other always do.

How powerful is truth! It has its own logic, and the mere attempt to break it strengthens it. Truth is an attribute of God Almighty. These men vindicated truth in these miserable attempts to overthrow it. These three men are uncontradicted.

So, also, does Wilson deny paying jack-pot money to these men, but except as to their different claims as to the reasons why the meetings were called at the Southern Hotel on June 21 and July 15, these men, including Browne and Wilson, all agree, and they are corroborated by the hotel register and the telegrams and letters written about the meeting, which are in the record here.

The testimony against them is entirely too strong, Mr. President, to be impaired in the slightest degree by the mere denials of Browne and Wilson that they paid money there. And if they did pay it, what did they pay it for? There can be but one answer to that question. Attempts to show that the money was paid as a mere gift, or for election expenses, only weave the threads of guilt tighter and tighter around the misguided men who attempt to take refuge behind so flimsy a pretense. It was to pay them for the votes they had corruptly cast for Mr. LORIMER for the office of United States Senator—and for no other purpose—that this money was paid in St. Louis. Here again Senator FRAZIER rendered a service to the Senate and the country by asking clear-cut and pointed questions. Notice the following which came out during his examination of Beckemeyer (pp. 256, 257):

Senator FRAZIER. Q. What did Mr. Browne give you the \$1,000 for on the 21st of June?—A. I could not tell you, except at the time he gave me the money he made the statement that I mentioned before.

Q. What was that?—A. "Here is the Lorimer money, and there will be some more in a few weeks."

Q. "Some more in a few weeks?"—A. Yes; as I remember, that was his statement. I was only with him in that room for five minutes.

Q. And you understood that this \$1,000 was paid to you in consequence of your having voted for Mr. LORIMER for United States Senator?—A. Well, I could not possibly infer anything else.

Q. And when Mr. Browne met you at the station—I believe you called it Starved Rock—he told you he would have a package for you?—A. Yes, sir; Starved Rock; somewhere out here on the Illinois Central; that is right.

Q. Some days after that you received a communication from Mr. Browne to meet him in St. Louis on the 21st of June?—A. Yes.

Q. In response to that communication you met him?—A. I did.

Q. At that time he gave you \$1,000, with a statement that it was the Lorimer money?—A. Yes.

Q. Did you take it and keep it?—A. Yes, sir.

Beckemeyer, in much the same way, told of going to St. Louis on the 15th of July and receiving \$900 more from Wilson. Link testified that he went to St. Louis on the 15th of July, upon an invitation to meet Browne at the Southern Hotel.

Q. What else took place?—A. Mr. Browne handed me some money.

Q. What did he say when he handed you the money?—A. He said, "Here is a package for you."

Q. What amount?—A. I do not think he mentioned the amount; I don't remember.

Q. Well, did you look at it?—A. Oh, I did afterwards.

Q. How much was it?—A. \$1,000.

Q. Did you ask him what it was for?—A. No, sir.

Q. Weren't you interested in knowing?—A. No, sir.

Q. You took it, did you?—A. I thought it was campaign money (pp. 280, 281).

He gives much the same sort of account of his trip to St. Louis to meet Wilson on July 15 and tells us that in the bathroom Wilson gave him \$900, with no explanation except "here is some money for you." And he says he was not surprised when he got it; that he considered it was campaign money, and adds: "I had a right to consider it that way if I saw fit, and that is the way I looked at it" (p. 284). Now, of what avail is it for either Browne or Wilson to deny that they paid these members of the legislature money at all for any purpose at St. Louis on June 21 and July 15, in the face of this testimony? And who can have any doubt that the money was paid to complete a corrupt transaction in which these men had sold and delivered their votes to the managers of Mr. LORIMER's campaign for election to the high and honorable office he seeks to hold as a Member of this body? Oh, it is said, the testimony

of Link and Beckemeyer and Shephard is worthless, because it was given under duress. Let us look at that claim for a moment.

Now, I hope the committee will be here, for I find some other omissions, and I think they are unfortunate omissions. I excuse the committee, but whoever furnished the transcript that the committee used in putting this testimony in here to show duress in giving his testimony the committee on pages 6, 7, 8,

For the purpose of showing that the witness Link was under duress in giving his testimony the committee, on pages 6, 7, 8, 9, 10, 11, 12, and 13 of its report sets out what purports to be Link's testimony giving his experience at the time he was in the custody of an officer and under the control of the grand jury and the State's attorney for Cook County. For some reason the committee omitted some very important parts of that particular testimony. For instance, on page 6 certain questions and answers appear, as follows:

Senator BURROWS. State what you said before the grand jury.—A. Well, I answered questions, but I disremember what all the questions he asked me were.

Senator BURROWS. State those you can remember and your replies.—A. I denied receiving any money for voting for Senator LORIMER.

By Judge HANEY:

Q. Then did you leave the grand jury room?—A. Yes, sir.

Q. After those different questions were asked you?—A. Yes, sir; at that time I did.

To show the omission to which I refer, I will read this same testimony as it appears in the record on page 291:

Senator BURROWS. State what you said before the grand jury.—A. Well, I answered questions, but I disremember what all the questions he asked me were.

Senator BURROWS. State those you can remember and your replies.—A. I denied receiving any money for voting for Senator LORIMER.

The following question and answer were omitted by the committee:

Senator BURROWS. What else?—A. Denied meeting parties in St. Louis; I didn't remember of meeting them; that is, at that time.

That is the statement upon which he was indicted, and yet they try to make out that he was indicted for the purpose of using the indictment as a means of duress and seek to leave the inference that the indictment was for that purpose and had no other foundation. They leave out of his testimony the very statements he made which furnished the basis for that indictment. Whose trick is this?

Q. They asked you whether or not you had made any promises or agreements to vote for Senator LORIMER?—A. No, sir; not at that time. I guess not. I don't remember that.

Q. And did you leave the grand-jury room?—A. Yes, sir.

This testimony has reference to the first time that Link went before the grand jury, at which time he denied meeting the other members in St. Louis and denied being there, and for these false statements he was indicted for perjury. And Clark is the man who put up that job. He told Link, and he advised Beckemeyer at their meeting at Springfield, or at the Centralia meeting, that it would be all right for him to deny that they were ever at St. Louis at all, and they were acting on his suggestion, and they swore to this false statement and were indicted. But this transcript leaves that out.

The way the committee printed this part of his testimony, on page 6, they made it appear—no doubt inadvertently—that Link had not denied in that testimony that he was in St. Louis and met these parties there. Again, at the top of page 9 of the committee's report, between the first and second questions, the following omitted question, appearing on page 294 of the record, should appear:

Q. Do you remember the incident of a young lawyer coming there and saying to you and some officer of the State's attorney's office, "What are you holding this man for?"—A. No; the substance I do; I don't remember the exact language.

Also, after the following question and answer, near the top of page 9, "He did stay here until that time?"—A. Yes, sir," the following questions and answers, found on page 294 of the record, should appear:

Q. Now, was he in the room of the same hotel or place here in Chicago when you and Detective O'Keefe were there, when this young lawyer came in and asked O'Keefe, "Why are you holding him in custody?"—A. He certainly was. I remember the conversation, I think; but I paid no attention to it at the time.

Q. Did the detective threaten that if this lawyer did not go out that he would arrest him and take him before the grand jury?—A. It made him rather spunky; I disremember the exact words, but he said something in that line.

Q. He gave him to understand that he would have to keep away?—A. Yes, sir.

It would seem from this, Mr. President, that it was a wise thing for the grand jury and the State's attorney to keep a close supervision over this witness; some one was evidently trying to tamper with him.

Mr. President, there are two sides to this question of duress. You turn a witness like Beckemeyer or Link or White loose in the city of Chicago with the outfit that would get on his trail

there for the purpose of putting him under duress in some other way or for the purpose of suborning his testimony, and it is wise indeed for the State's attorney to have some one along to protect the witness. The testimony which shows that a young lawyer was following this witness about, trying to get him away for the purpose of talking to him on the side, and who had to be rebuked, had to be driven out of the hotel by the officer, was not put in this part of the testimony submitted in the report.

Also, on page 9 of the committee report, after the following question and answer: "Q. By the same grand jury you had been before?—A. Yes, sir," the following question and answer, found on page 295 of the record, have been omitted:

Q. Was it for perjury for not telling them you had received money for voting for LORIMER?—A. That I had not met Robert Wilson—who money consideration in it at all—but that I had not met Robert Wilson.

Also, on page 11 of the committee report, after the following question and answer, near the top of page: "Q. That was not true?—A. That was not true; no, sir," the following is omitted:

Q. And that is what the State's attorney wanted you to tell the grand jury, was it not?—A. I presume just two answers, if I would answer when I went before the grand jury; that is all that Mr. Wayman asked me, was those two questions.

Mr. AUSTRIAN. What were they?

Judge Hanecy did not want the witness to say what they were.

Judge HANECY. I am examining him.

Senator BURROWS. We will probably get at that.

Q. Did Mr. Wayman there tell you at that time that he indicted you that he was going to take you before the criminal court, if you did not tell the grand jury what he wanted you to tell?—A. I don't quite understand the question. (Record, p. 298.)

Now, it was very unjust to Mr. Wayman, the State's attorney, to set out the other portions and omit these portions of this testimony from the report. The following is another omission: After the words, "A. That in substance," on page 11 of the committee report, the following, found at page 298 of the record, has been omitted:

Q. Did Mr. Wayman then take you before the grand jury?—A. I went with Mr. Wayman before the grand jury a few minutes before 10 o'clock Saturday, the following day after this conversation took place.

Q. Did you tell the grand jury then, on the questions of Mr. Wayman, what Mr. Wayman wanted you to tell them?

Senator BURROWS. What did he tell?

These omitted questions show that Judge Hanecy, counsel for Mr. LORIMER, was attempting to put Mr. Wayman, the State's attorney, in the attitude of trying to coerce this witness to give false testimony; but when all the evidence on that subject is examined, it entirely acquits Mr. Wayman of that charge. There is another omission on page 12 of the committee report. After the words, "He wouldn't let me answer the question at all," which appear near the bottom of that page, the following words, found at page 300 of the record, are omitted:

Q. Did Mr. Wayman tell you to answer "No" to that question, put by the State's attorney and grand jury in Sangamon County?—A. He had a representative—Mr. Reed, the lawyer there at Springfield—that read a great many decisions in relation to incriminating yourself, etc.

Q. Did he send an assistant down there—an assistant attorney—to Sangamon County grand jury with you?—A. Not with me; but there was one there.

Q. He met you there?—A. Yes, sir.

Q. To advise you and represent you there?—A. Yes, sir.

Q. Who was he?—A. An attorney by the name of Reed.

Q. F. F. Reed?—A. I don't know his initials; but his name was Reed; from Aurora, I think.

Now, the facts, Mr. President, as they plainly appear in the record, are that Link, when he went before the grand jury the first time, denied that he had met anyone in St. Louis and denied that he had received any money there, and he was indicted for perjury; interested parties were hanging around to approach him and encourage him to persist in withholding the truth. He was, of course, a most unwilling witness, and all that the State's attorney, his assistants, and the officers who held him under surveillance did was to keep the gang that had brought ruin upon this man away from him and to encourage him to tell the truth. There is not a syllable of testimony to indicate that at any time they sought to compel him to testify falsely.

Duress—duress, under such circumstances! He was finally persuaded to tell the truth. The committee might, it seems to me, along with the testimony they put into their report, have put in the following part of Link's testimony along with it:

A. At that first interrogation, the question of Robert Wilson was discussed, but not the Browne thousand dollars.

Q. All right then; the one they first interrogated you about when you went before the grand jury, as to whether or not you had met Wilson in St. Louis?—A. I denied it.

Q. Was that true, or a falsehood?—A. I guess it was a falsehood; but I didn't remember of meeting him at that time, or didn't know the date.

Q. You stated you didn't meet him at all, didn't you?—A. I stated afterwards that I did meet him.

Q. You stated afterwards that you did meet him, but that was afterwards; after you had been indicted for perjury?—A. Yes, sir.

Q. Did anyone at any time ever ask you to tell a lie?—A. Not in that kind of terms.

Q. Tell me if anyone connected with the State's attorney's office, the State's attorney, his assistants, officers, employees, asked you to lie?—A. They didn't ask me to lie (p. 302).

Well, then, if they did not ask him to lie, and he says they did not, and they induced him to tell the truth, where is your duress?

Q. The perjury charge was correct, was it not?—A. Afterwards it proved it was; yes, sir (p. 303).

Senator FRAZIER. If it were true that you met Wilson in St. Louis and he paid you \$900, and that you met Browne and he paid you \$1,000, why didn't you tell that when you came up here before the grand jury and before Mr. Wayman? What were you concealing it for?—A. I didn't want to get myself, perhaps, in trouble and my friends in trouble. I didn't know where the money came from. That was the only reason.

Q. Why didn't you tell it if it were a fact that you got it, and that you met those gentlemen? What were you trying to conceal it for?—A. I didn't know anything what there was about it, and I didn't desire to criminate myself for taking this money. I didn't know where it came from.

Q. If it were a present to you, and a fair and honest transaction for campaign purposes, or a gift or otherwise, why were you trying to conceal it?—A. I had no reason at all for concealing it.

Q. Why didn't you tell it?—A. Pardon me, I will correct that. I was afraid of getting somebody into trouble; I didn't know where this money came from.

Q. Who were you afraid of getting into trouble?—A. Friends of mine, or myself.

Q. Who were your friends?—A. I had a great many friends on the Republican side and on the Democratic side in the general assembly.

Q. How would you get your friends into trouble by telling the truth, if this were a perfectly honest and legitimate transaction?—A. I didn't know how it would get them into trouble, only it struck me I might get them into trouble.

Q. You didn't care to admit that some one had given you \$1,000, without any explanation about it?—A. No, sir (p. 305).

This testimony shows that the State's attorney did nothing more than to persuade this man to tell the truth and that he made no attempt whatever to induce him to tell a falsehood. In fact, he succeeded in inducing him to repudiate his previous falsehood and to tell the truth. He had much the same experience with Beckemeyer. The gang of boodlers who feared they would get hurt by the coming exposure sent a man named Welch, a saloon keeper, who lived at Carlyle—Beckemeyer's home—around with him to persuade Beckemeyer to keep still and give up nothing (record, p. 241); and every once in a while he would tell Beckemeyer "keep your mouth shut," and he went on to tell him to keep his mouth shut; and Beckemeyer at first denied being at St. Louis and denied receiving any money, and was indicted for perjury; but he finally weakened and told the truth; so did Holtslaw. When Beckemeyer was before the committee he was asked about whether threats and duress were used upon him, and he gave the following testimony upon that point:

Q. Were there any threats or duress used upon you for the purpose of making you tell everything with reference to the LORIMER payment of money that you have testified to here?—A. There was not.

Q. Did you tell the truth, then, as you have told it now?—A. Yes, sir (p. 254).

Mr. President, it is the common practice of shrewd attorneys defending persons charged with crime, when the case is a desperate one, to try by a counterattack upon the prosecuting attorney to divert the attention of the jury away from the guilty man; they proceed to try the State's attorney and the prosecuting witness.

There are too many lawyers here to have any question about that statement. This is the method pursued in this case. The court in Cook County first took jurisdiction in the indictment of these offenders, then the grand jury at Springfield returned indictments involving an inquiry into the same offenses, or into charges which, while not the same, depended for proof upon the same witnesses and upon many of the same facts. Nice questions arose concerning the venue where the offenses were triable. The voting was done at Springfield, but the money was paid in Chicago and St. Louis.

Shrewd men were managing this. Browne is no fool—hardened in crime and trained in scheming and planning to carry it out without being caught.

Mr. Wayman, the State's attorney of Cook County, who had procured indictments against Browne in that county, and who had detained White, Link, and Beckemeyer as witnesses, did not want to have his case prejudiced by mistakes which might be made in Springfield. When Link or Holtslaw or Beckemeyer were haled into court at Springfield, he sent an attorney there to represent him and to see that nothing should occur that might embarrass the proceedings he had pending in Cook County; through his assistant at Springfield he advised these witnesses to claim their constitutional rights when called upon to testify at Springfield. All that is immaterial to the investigation we are making here. It does not in the slightest degree affect the proof of any fact established by the evidence sub-

mitted to this Senate. Neither does the acquittal of Lee O'Neil Browne shake the force of the proof found in this record. He might escape conviction by a jury in Illinois in a case like this where acts which we can properly consider here could not be considered there, perhaps because they occurred in Missouri or because of other technical difficulties. The fact that Browne and Broderick and Wilson have been reelected to the legislature of Illinois, if it be true, should have no weight here; under the minority representation provisions in Illinois, where one voter may mass three votes upon one candidate for the legislature, it is not surprising that constituencies that were so careless as to send these men to the legislature several times in the past should do so again. But that does not affect the probative force of the testimony found in this record, which, it seems to me, is convincing, and which proves to a reasonable certainty that the votes of Browne, White, Holstlaw, Clark, Link, Beckemeyer, Luke, Shephard, De Wolf, and Broderick, cast for Mr. LORIMER, were corrupt votes. And can one conclude, after carefully reading all of the evidence here, that Mr. LORIMER himself did not know that fraud was being committed? I wish I could believe that he did not, because I bear him no ill will and would not do him the smallest injury or injustice knowingly. But I can not overlook the fact that for days and nights immediately preceding the 26th day of May, 1909, when these corrupt and tainted votes were cast for him, he was in Springfield directing his own campaign; that he was in almost constant conference with Lee O'Neil Browne and Speaker Shurtleff; that they reported progress to him, and that he assured Shephard, the Democrat, personally, that he would procure the appointment of his friend as postmaster at Jerseyville if Shephard would vote for him, and that Shephard afterwards turned up with the other boodlers at St. Louis on June 21 and July 15 to get his share of the money reward distributed by Browne and Wilson; that Mr. LORIMER personally had a talk with Link before his election and secured Link's promise to vote for him, and that this same Link also appeared with the boodlers at St. Louis and got his reward in cash. Mr. President, I regret to say it, but I am personally convinced that Mr. LORIMER knew enough about what was going on at Springfield to put a reasonably prudent man upon inquiry; that Shurtleff and Browne were his political agents, and that he ratified their acts and accepted the fruits of their corrupt practices, of which he must at least have had some knowledge, and that he was not legally and duly elected to a seat in the Senate of the United States by the legislature of Illinois.

White says that when Browne paid him \$850 Lorimer money at the Briggs House, in Chicago, on June 16, 1909, he "had a belt around his waist that was made of blue cloth and pinned on with safety pins;" that Browne told him that he carried money in that belt and that he had \$30,000 on his person the day before (p. 81). Whose money was it? What special interests were using money so lavishly as that among members of the legislature of Illinois? And for what purpose? Was it to strangle legislation at Springfield and to send a representative to this body? People in these days indulge in all sorts of attacks upon Congress, and most of the attacks are both unfair and unfounded. Magazines cruelly and wantonly assail the names of men in public life who are above reproach. This is all wrong. I have no sympathy with it. I believe that a very great majority of the men in official life to-day are faithful servants of the public. Character and reputation should not be wantonly assailed. A man who will attempt, out of malice, to destroy the good name of a fellow man is no better than a murderer. But whither are we drifting if conditions like these at Springfield are to be passed over in silence? We may make mistakes in framing tariff laws, Mr. President, but they can be amended. We may adopt wrong policies in the administration of public affairs, but they can be corrected. But, sir, what is the future of representative government if men are to enjoy seats in the legislative department which have been purchased with paltry gold? What is to become of our institutions and who can answer for to-morrow if legislation in great States like Illinois is to be bought and sold by men who are provided with a corruption fund for that purpose—a United States Senatorship thrown into the bargain? Where is all this to end? Is all sense of honor benumbed and is conscience only a myth? In the Senate of the United States, with all its traditions, its proud sense of honor, its noble dignity, and its lofty standards, to forget the warnings uttered time and again in this historic Chamber? Are the voices of the past, which in this place have so often stirred the hearts of men and the supreme faith which inspired the fathers who wrought here, to be overwhelmed by a corrupt and sordid tendency which would sacrifice every public trust upon the altar of commercialism and make a thing of merchandise of every public duty? Are the Members of this

Senate willing that testimony like this, which I have attempted to review here, shall be put aside as insufficient to overthrow a formal certificate of election simply because that certificate comes here under the seal of a great State?

I know Senators will not do that if they see this evidence as I see it. I claim no superior virtue and would not reflect in the smallest particular upon the sincerity and good faith of any Senator. My only fear is that the testimony was so much broken into by interruption and arguments of counsel during the hearings and the time in which to weigh and analyze it was so short that the subcommittee did not give it the weight to which, it seems to me, it is entitled, and the full committee had little opportunity to examine it before submitting their report. I may be wrong, sir, and the subcommittee may be right; but I am bound to say that I am not willing that this report shall be adopted without my protest. On the other hand, I stand ready to vote for a resolution declaring that Mr. LORIMER was not legally and duly elected to a seat in the Senate of the United States by the legislature of the State of Illinois.

I thank the Senate.

INSPECTION OF LOCOMOTIVE BOILERS.

Mr. BURKETT. I ask the Senate to take up the bill (S. 6702) to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BURKETT. I move to amend the amendment of the committee in section 2, page 17, line 3, by striking out all after the word "thereof" and inserting what I send to the desk.

The VICE PRESIDENT. The amendment bill be stated.

The SECRETARY. In section 2, on page 17, line 3, after the word "thereof," strike out the remainder of the section and insert in lieu of the words stricken out the following words:

Are in proper condition and safe to operate in the service to which the same is put, that the same may be employed in the active service of such carrier in moving traffic without unnecessary peril to life or limb, and all boilers shall be inspected from time to time in accordance with the provisions of this act, and be able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for.

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 5, page 20, line 16, I move to strike out the word "carriers" and to insert "carrier."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 20, line 19, I move to strike out the word "carriers" and to insert "carrier."

The amendment to the amendment was agreed to.

Mr. BURKETT. On the same page, after line 21, I move to insert—

Mr. KEAN. I call the attention of the Senator from Nebraska to another amendment on page 20 of the former print, line 13, to insert the word "and" after the word "office."

Mr. BURKETT. I have that amendment prepared. It comes in on page 21 of the new print. On page 20, line 21, after the words "hereinafter provided," I move to insert the following proviso:

Provided also, That such common carrier may from time to time change the rules and regulations herein provided for, but such change shall not take effect and the new rules and regulations be in force until the same shall have been filed with and approved by the Interstate Commerce Commission.

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 21, line 4, after the word "office," I move to insert the word "and."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 21, lines 5 and 6, I move to strike out the words "and prescribing specifically the requirements under section 2."

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 6, on page 22, line 1, I move to strike out the words "engine or engines affected" and to insert "boiler or boilers or appurtenances pertaining thereto."

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 6, on page 22, line 18, after the word "condition," I move to strike out all of the amendment down to and including the word "effective," on page 23, line 4, in the following words:

Provided, That a carrier, when notified by an inspector in writing that a locomotive boiler is not in serviceable condition because of defects set out and described in said notice, may within five days after receiving said notice appeal to the chief inspector by telegraph or by letter to have said boiler reexamined, and upon receipt of the appeal from the inspector's decision the chief inspector shall assign one of the assistant chief inspectors or any district inspector other than the one from whose decision the appeal is taken to reexamine and inspect said boiler within 15 days from date of notice. If upon such reexamination the boiler is found in serviceable condition, the chief in-

spector shall immediately notify the carrier in writing, whereupon such boiler may be put into service without further delay; but if the reexamination of said boiler sustains the decision of the district inspector, the chief inspector shall at once notify the carrier owning or operating such locomotive that the appeal from the decision of the inspector is dismissed, and upon the receipt of such notice the carrier may, within 30 days, appeal to the Interstate Commerce Commission, and upon such appeal, and after hearing, said commission shall have power to revise, modify, or set aside such action of the chief inspector and declare that said locomotive is in serviceable condition and authorize the same to be operated: *Provided further*, That pending either appeal the requirements of the inspector shall be effective.

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 8, on page 24, lines 21 and 22, I move to strike out the words "district inspector of the district in which said accident occurs" and to insert in lieu thereof "chief inspector."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 24, lines 23 and 24, I move to strike out the words "by said inspector or."

The amendment to the amendment was agreed to.

Mr. BURKETT. In line 24, on page 24, I move to strike out the words "inspector general" and insert "chief inspector."

The amendment to the amendment was agreed to.

Mr. BURKETT. In line 25, after the word "assistants," I move to insert "or such inspector as the chief inspector may designate for that purpose."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 25, lines 6 and 7, I move to strike out the words "district inspector or inspector general or an assistant" and insert "chief inspector or an assistant, or the designated inspector making the investigation."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 25, lines 12 and 13, I move to strike out the words "and a copy of said report shall be published as a part of the annual report of the said chief inspector," and to insert:

The Interstate Commerce Commission may at any time call upon the chief inspector for a report of any accident embraced in this section, and upon the receipt of said report, if it deems it to the public interest, make reports of such investigations, stating the cause of accident, together with such recommendations as it deems proper. Such reports shall be made public in such manner as the commission deems proper. Neither said report nor any report of said investigation nor any part thereof shall be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report or investigation.

The amendment to the amendment was agreed to.

Mr. BURKETT. I ask to go back to page 19, line 22. After the word "their," in line 22, on page 19, I move to insert the word "practical."

The SECRETARY. On page 19, line 22, before the word "experience," insert the word "practical."

The amendment to the amendment was agreed to.

Mr. HEYBURN. I should like to inquire of the Senator in charge of the bill whether there is not an inconsistency between the provision at the bottom of page 16 and that at the beginning of section 5. We amended the bill by striking out "January" and inserting "July," so that the act does not become operative until the 1st of July. Section 5 requires—

That each carrier subject to this act shall file its rules and instruction for the inspection of locomotive boilers with the chief inspector within three months after the approval of this act.

This act will be approved not later than March 4. There are four months intervening between March 4 and the 1st of July, and if it is not a law until the 1st of July it does not become operative. Yet the bill undertakes to provide that within three months after the approval of the act the parties shall do a certain thing. I think the date should be changed.

Mr. CUMMINS. Mr. President, inasmuch as I happened to be chairman of the subcommittee which reported the bill and am therefore quite familiar with that part of it, I suggest to the Senator from Idaho that there is no inconsistency, for this reason: Section 2 of the bill simply renders certain acts of common carriers unlawful after the 1st of July, 1911. The bill, however, is in full force and effect after it is approved by the President. But section 5 relates only to the reports, statements, rules, and regulations that shall be filed by the several carriers with the chief inspector or the Interstate Commerce Commission.

The idea was that we should give the railroad companies from now until the 1st of July to put their locomotive engines in such a condition as that they will not become unlawful in use under section 2; but we desired that the companies shall be required to furnish their rules for inspection, in the meanwhile, to the Interstate Commerce Commission or the chief inspector, so that the rules for inspection may be put into force. There is a very marked difference between rendering a boiler in use unlawful, subject to prosecution before a grand jury, and the inspections which are provided for in section 5.

Mr. HEYBURN. It seemed to me from rather a casual inspection of the bill, since it has been under consideration just within a day, that there was an inconsistency in requiring a party to comply with the law before it was in effect.

Mr. CUMMINS. The Senator from Idaho totally, I think, misconceives the operation of the statute. It consists of two parts. First, it declares that it shall be unlawful for any common carrier to use a boiler unless it be in a safe condition. That is a general obligation resting upon the railway companies entirely distinct from any inspection that may ever occur.

The second part of the bill creates a system of inspection under the chief inspector and district inspectors, and the rules and regulations which are provided for in section 5 are those which relate to the inspection that shall be made by the railway companies themselves of their boilers. This is simply a provision from which it is hoped there will follow greater care upon the part of the railway companies in the inspection of their boilers, and that there will be some uniformity in the rules relating to those inspections. But section 2 would be entirely operative if no part of the bill which follows section 2 were enacted.

Mr. HEYBURN. But I think it would present this position: Section 2 is penal in its nature. It provides that in the event certain things are not done a penalty shall be imposed. That applies to all of section 2. Section 3 merely provides for the appointment of those who shall carry the law into effect, for supervising—

Mr. CUMMINS. Not that part of the law, Mr. President—

Mr. HEYBURN. Well, it provides for the appointment of those who shall administer the law.

Mr. CUMMINS. Because, in my opinion, under section 2 prosecutions could take place, no matter what might or what might not be done under—

Mr. HEYBURN. Not until July 1.

Mr. CUMMINS. Not until July 1, without regard to what might be done under other sections.

Mr. HEYBURN. So the penal provisions are not operative until July 1.

Mr. CUMMINS. Therein the Senator from Idaho is not quite right, because there are penal provisions for violating the rules and regulations precisely as—

Mr. HEYBURN. I am referring to this particular section.

Mr. CUMMINS. There are penalties for the violation of the general penal provisions.

Mr. BURKETT. Does the Senator understand that section 2 provides that an engine can not be run unless it is in a certain condition?

Mr. HEYBURN. Section 2 does not provide for anything until July 1.

Mr. BURKETT. After July 1. The other provision is simply for a report to show what kind of inspection has been made.

Mr. HEYBURN. It says "each carrier subject to this act." That refers to this act. This is not an amendment of existing law. This is the initiation of a new law. So it must find all its support within its own language.

Mr. BURKETT. Section 1 states what carriers are under the act.

Mr. HEYBURN. That is merely the enumeration of the parties subject to it. I may not be correct in this, but I want to have some explanation of it, because section 5 says "each carrier subject to this act." Subject to what provisions of this act? Not subject to the provisions in section 2, which are penal in their nature.

Mr. BURKETT. If there were not any section 2 in the act—

Mr. HEYBURN. But the phrase "subject to this act" must relate to something as a basis of the reports.

Mr. BURKETT. Section 2 has the same expression—that any common carrier whose officers are subject to this act shall not run engines that are not in a certain condition. Then section 5 says that each carrier subject to this act shall file its rules within a certain time.

Mr. HEYBURN. But it can not be subject to it until the 1st of July.

Mr. BURKETT. It can not be subject to section 2 until the 1st of July, but section 5 provides that it shall be effective within three months after the act shall be approved.

Mr. HEYBURN. Yes; but it is "subject to this act." I do not intend to enter into any very extended consideration of it, but I wanted to understand the view entertained by the committee and by those in charge of the bill in order that it might not escape our notice. It is a fact that yesterday when this bill was under consideration we changed "January" to "July."

Mr. CUMMINS. The bill was reported at the last session, if I may be permitted to interrupt the Senator from Idaho. There have been, however, almost continuous conferences between the representatives of the railway companies and the representatives of those professions or avocations which are interested in the inspection of boilers for their own personal safety, and from time to time there have differences arisen.

I will say frankly that I favored the proposition that section 2 should be operative immediately upon the passage of the law, but the representatives of the railway companies urged that inasmuch as we were here putting a penalty upon the railway companies if their locomotives were found to be in a certain condition we ought to give them a reasonable time in which to prepare their equipment, so that they would not be subject to criminal prosecution and penalties until a later date; and that is what led to the introduction of the 1st of July, 1911, just as when we originally reported the bill it was the 1st of January, 1911. Inasmuch as that time has passed we put forward the date.

Mr. HEYBURN. I wish just to make an inquiry. The committee evidently considered that the obligation to file this copy of the rules and instructions ought not to be applied until three months after the bill was passed.

Mr. CUMMINS. No.

Mr. HEYBURN. That evidently was the intent, because that is the letter.

Mr. CUMMINS. No; I do not so understand it.

Mr. HEYBURN. The difference between January and July—

Mr. CUMMINS. I understand that the duty begins with the passage of the act, but that the duty must be performed within three months after the passage of the act. It is thought that it would not be practicable if a very short time were fixed in which this work should be done. It is a considerable work, as you can readily see. It was believed, therefore, to be wise to give the railway companies three months in which to get together their rules and regulations—

Mr. HEYBURN. After the passage of the act?

Mr. CUMMINS. To get together their rules and regulations and present them to the authorities to be reviewed and modified, if there was necessity for it.

Mr. HEYBURN. It only seemed to me that when you changed the date you should make the other dates to conform to the original plan or scheme of the bill. But the committee has given the matter consideration, and I am not at all inclined to pursue the consideration of it further, only to point out the seeming inconsistency.

Mr. BURKETT. I will say to the Senator that the railroads did not ask for any more time than that. These rules and regulations, I will say to the Senator, are very largely in form now. They all have rules and regulations, but it will take a little while to make them conform to each other.

Mr. President, in the first line of section 7, line 12, page 34, I see that the words "inspector general" are left in the bill. I move to strike out "inspector general" and to insert "chief inspector," to make it conform to the rest of the act.

The amendment to the amendment was agreed to.

Mr. WARREN. I will ask the Senator whether the same correction has been made on page 26, toward the end of section 15?

Mr. BURKETT. The last section?

Mr. WARREN. Yes.

Mr. BURKETT. On page 26, line 16, strike out "inspector general" and insert "chief inspector."

The VICE PRESIDENT. It is a misprint where it has not been done. The Senate ordered it to be done in every instance.

Mr. BURKETT. I think, under the order which we made yesterday, that change should be made.

The VICE PRESIDENT. Certainly it should. There is no question about it.

Mr. WARREN. In one or two other places the change has been made as we have gone along. I hope the clerks will be instructed to carefully examine the bill.

The VICE PRESIDENT. The Senate has so ordered. It was done yesterday. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. SMITH of Michigan. I would like to ask the Senator from Nebraska if these inspectors are to be appointed under the Civil Service Commission.

Mr. BURKETT. They are.

Mr. SMITH of Michigan. And all the force required to give effect to the bill?

Mr. BURKETT. There is no other force except the clerical force, and that is to be provided by the Interstate Commerce Commission. That, of course, is already under the civil service.

The bill provides that the Interstate Commerce Commission shall furnish such clerical help as may be needed, and that is under the civil service.

Mr. CUMMINS. The chief inspector and two assistants are not under the civil-service rules.

Mr. SMITH of Michigan. Are the inspectors in the first instance to take a civil-service examination?

Mr. BURKETT. They are to be appointed after a civil service examination.

Mr. SMITH of Michigan. If so, I suggest to the Senator it will require a considerable time to get an eligible list for this new work from the Civil Service Commission.

Mr. BURKETT. We have a considerable time.

Mr. SMITH of Michigan. How much?

Mr. BURKETT. Until the 1st day of July.

Mr. SMITH of Michigan. I want to prophesy that that is not time enough, and you will not get the force required for this service. I think, if you investigate recent legislation, you will find that wherever expert assistance is required you can not get it readily from the Civil Service Commission.

I dislike very much to interrupt the Senator from Nebraska, but I want to inquire why it is that we can not get practical men of experience for this service without going through the civil service in the first instance.

Mr. BURKETT. There are a good many reasons that were suggested, I will say, in the consideration of the bill. One reason perhaps more especially why these men should be under the civil service was that there might be a controversy between the railroads and labor organizations, or something of that sort. That question was raised, and it seemed best that the men should be appointed after an examination under civil service so that they would be entirely removed from any necessity of recommendations from any organization or any body of men.

Mr. SMITH of Michigan. I can not imagine why there should be any conflict between the organizations of labor and the transportation companies for this service. All other train service in the country will be performed in the usual way and every department is unionized, I think.

My reason for rising now is not to antagonize the bill, which has merit, but the Civil Service Commission attempted to get an inspector of hulls in Michigan several years ago and men of experience in sailing and who understood their business and had years of practical knowledge in that work were all precluded from it by age or otherwise, while a young lad fresh from school, without any experience whatever, was appointed to the task of inspecting hulls, and inexperienced men should not be chosen for this service.

Mr. BURKETT. If the Senator will read the pending bill he will see that is guarded against. It provides that the men must have had practical experience.

Mr. CUMMINS. I think the Senator from Michigan misunderstands the provision. It is expected under this law that there shall be a special list prepared from which the appointments must be made. The appointments can not be made from the lists now already in use by the Civil Service Commission, as the Senator can very well perceive.

Mr. SMITH of Michigan. I suppose the Senator means that the qualifications necessary will be set forth in the regulations of the bureau.

Mr. CUMMINS. No; the Senator will notice that this is the language:

Said inspectors shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service.

Then, after fixing the salary, the bill provides:

In order to obtain the most competent inspectors possible, it shall be the duty of the chief inspector to prepare a list of questions to be propounded to applicants with respect to construction, repair, operation, testing, and inspection of locomotive boilers, and their experience in such work, which list, being approved by the Interstate Commerce Commission, shall be used by the Civil Service Commission as a part of its examination.

That, of course, presupposes that the Civil Service Commission must open up a new examination for men eligible to appointment to district inspectors, and such questions as I have indicated must be put.

Mr. SMITH of Michigan. I understand, Mr. President, but the civil-service law absolutely precludes men who have passed 45 years of age from entering into competitive examination. Men of experience who have been tried and trusted in employments of this character, who happen to have passed over this arbitrary line, are absolutely excluded from this service. It seems to me that, in the first instance, men should be chosen because of their fitness for this special service. They should be designated from fields of practical knowledge in this work; they should be men of experience and character; and I can see

no reason why their appointment should be made in this way; neither would I make them the football of party spoils. Who knows how many men are to be employed in this service?

Mr. CUMMINS. They are designated here.

Mr. SMITH of Michigan. Yes; but that is the first allotment. If that is not enough to do this work, so that it may be performed satisfactorily and promptly and safely, it will be increased, and responsibility that has hitherto fallen upon the carrier will fall upon the Government, and it must be thoroughly done.

Mr. President, I do not desire to antagonize the bill. I think it is wholesome and has an object worthy of our approval; but I can not believe that you will get the best results or that you will start this service upon any higher standard by establishing a purely competitive basis for candidates.

However, I do not intend to move to strike that provision out. We have not escaped partisanship or favoritism by this method of appointment to the public service. Behind this self-imposed barricade petty politics exists in its most flagrant form, and cliques and factions dominate the system, and promotions and authority come largely by favor and seldom by merit. The service is fast becoming autocratic and unbearable, and its beneficiaries have wandered far from the original intent and purpose of the law. The spoils system was burdensome and we properly shrank from it, but this system is fast becoming intolerable; favoritism and disrespect for every other branch of the Government service is its growing characteristic, as unrepugnant as it is relentless in its purpose to advance and perpetuate its devotees. They no longer ask for increased compensation; they demand it and parcel it out to favorites with reckless indifference to merit, and we continue to clothe them with additional power and augment their numbers from year to year. Perhaps this is the best system that has yet been devised, but it should be thoroughly overhauled and its irregularities corrected.

I shall not make any motion to take the appointment of these employees out of the civil service, but I am not at all satisfied that the best service will be obtained in this way.

Mr. LODGE. Mr. President, this bill is, it seems to me, not only a very important bill, but one which will be of very great value to the public and do much to protect human life. It seems to me the duties imposed on the inspectors are very important and responsible. They are like the duties now fulfilled by the inspectors of steam boilers on steam vessels. The bill requires that they shall be men of experience, and it is inconceivable that any board would take inexperienced men; but if it is left open, so that political considerations will come in, and, what I think is far more important, the pressure of the people who are to be inspected—that is, the railroads—we shall get in that way a class of inspectors who, I think, will hardly fulfill the purposes of the bill. I think that the purposes of the bill will be best subserved by putting the inspectors under the provisions now in the bill, which, it seems to me, have been very wisely drawn. I observe that the questions are to be set forth by the chief inspector and that his list of questions is to be submitted by the Civil Service Commission. It is inconceivable that a chief inspector, holding a position of that great responsibility, and appointed by the President, should do otherwise than make sure that his subordinates, upon whom the entire success of his office depends, should be men of experience, of activity, and vigor, and capable of performing this most important service.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGENTS OF SMITHSONIAN INSTITUTION.

Mr. LODGE. I introduce a joint resolution, and ask unanimous consent for its immediate consideration.

The joint resolution (S. J. Res. 133) providing for the filling of a vacancy to occur January 23, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the vacancy which will occur on January 23, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress shall be filled by the reappointment of James B. Angell, of Michigan, whose term of office will expire on that date.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection to the present consideration of the joint resolution?

There being no objection the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REVISION OF THE LAWS RELATING TO THE JUDICIARY.

Mr. HEYBURN. Mr. President, for the purpose of offering an amendment, which is quite extensive, I ask that Senate bill 7031 may now be laid before the Senate. I desire to offer an amendment, and to have it printed and laid on the table.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate a bill, the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 7031) to codify, revise, and amend the laws relating to the judiciary.

Mr. HEYBURN. Mr. President, I especially call the attention of Senators to this amendment, because each Senator is interested directly in it. When this bill was under consideration we passed over chapter 5, which relates to the enumeration and creation of judicial districts in the United States, because there had been some laws enacted that changed the then existing status of the bill. I have now had the bill corrected to conform to the existing conditions. I offer the amendment and a memorandum to accompany it, and ask that it be printed. It will then be laid upon the desks of Senators, so that when the matter comes up, as it will doubtless at an early day, they will have had time to investigate the accuracy of the amendment. I particularly call the attention of the Senator from Georgia [Mr. BACON] to the matter.

The VICE PRESIDENT. Without objection, the request will be complied with.

CHINESE SUBJECTS AS STUDENTS AT WEST POINT.

Mr. WARREN. Mr. President, I wish to call up the joint resolution (S. J. Res. 131) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point two Chinese subjects, to be designated hereafter by the Government of China. The joint resolution was read yesterday, and, after being considered, was laid aside. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution has already been read.

Mr. BACON. I should like to inquire of the Senator from Wyoming whether or not the joint resolution, if it becomes a law, will practically put it within the power of the Chinese Government at all times, until there shall be further action taken by this Government, to nominate and have appointed to our Military Academy two cadets, or does it relate to a particular time.

Mr. WARREN. It distinctly allows two to be appointed for a term, which is a matter of courtesy.

Mr. BACON. That is not an answer to the question I asked. The Senator from Wyoming did not understand what I said. I asked whether this is an indefinite authority for the future, or whether it relates to any particular appointments.

Mr. WARREN. It relates to two particular appointments that may be made, and does not establish any general law, or, for that matter, any precedent.

Mr. BACON. It is limited to two, and is not a continuing authority for other appointments?

Mr. WARREN. It is not.

Mr. BACON. That is all I wanted to know.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 12 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 11, 1911, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 10, 1911.

CONSUL.

Marion Letcher to be consul at Chihuahua, Mexico.

ASSISTANT COLLECTOR OF CUSTOMS.

Frank F. Patterson to be assistant collector of customs for the port of Camden, N. J., in the district of Philadelphia, Pa.

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Richard A. Kearny to be assistant surgeon in the Public Health and Marine-Hospital Service.

RECEIVER OF PUBLIC MONEYS.

Benjamin C. Barbor to be receiver of public moneys at Lewiston, Idaho.

REGISTER OF LAND OFFICE.

Henry W. Kiefer to be register of the land office at Blackfoot, Idaho.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Second Lieut. Talbot Smith to be first lieutenant.

INFANTRY ARM.

First Lieut. William S. Mapes to be captain.

MEDICAL RESERVE CORPS.

Robert Skelton to be first lieutenant.

COAST ARTILLERY CORPS.

Second Lieut. Walter P. Boatwright to be first lieutenant.

POSTMASTERS.

ALABAMA.

Thomas B. McNaron, Albertville.

ARIZONA.

Jacob N. Cohenour, Kingman.

COLORADO.

Anna Allert, Louisville.
John A. Bunker, Paonia.
Thomas Burns, Olathe.
George A. Herrington, Montrose.
Theodore E. Ickes, Center.
W. Z. Kinney, Silverton.
Lewis C. Lomax, Telluride.
Eugene Reardon, Victor.
George E. Rohrbough, Aspen.
Newton W. Samson, Mancos.
William Sherman Fisk, Meeker.
William H. Woodruff, La Veta.

DELAWARE.

James A. Hiron, Dover.

IDAHO.

I. B. Evans, Preston.
Uther Jones, Malad City.

KANSAS.

J. T. Coles, Erie.
Ewing Herbert, Hiawatha.
Richard Waring, Abilene.

MASSACHUSETTS.

Charles D. Brown, Gloucester.

MICHIGAN.

Frank D. Ball, Crystal Falls.
Lawson E. Becker, Fenton.
Leonard M. Sellers, Cedar Springs.
Timothy Smith, Howell.

MINNESOTA.

John Chermak, Chatfield.

NEBRASKA.

Samuel H. Weston, Dorchester.

NEW JERSEY.

Augustus K. Gale, Westfield.

NEW YORK.

Floyd S. Brooks, Ilion.
Paul R. Clark, Auburn.
Thomas J. Wintermute, Horseheads.

OKLAHOMA.

W. S. Bell, Okmulgee.

OREGON.

Renns A. Arnold, Toledo.
Polk E. Mays, Joseph.
William R. Olds, Grass Valley.
Oliver P. Shoemaker, Newport.

PENNSYLVANIA.

John E. Barrett, Scranton.
Joseph M. Brothers, Knox.
William G. Cochran, Woodlawn.
Josiah R. Dodds, Franklin.

Frank N. Donahue, Carrolltown.
Christmas E. Fitch, Wampum.
Philip L. Freund, Arnold.
James L. Greer, Stoneboro.
Joseph T. Hemphill, Washington.
Edgar C. Hummel, Hummelstown.
James C. Jacobs, Burnham.
Herman Long, New Cumberland.
H. C. Snyder, Newville.
Lynn G. Thomas, Canton.
J. Wersler Thomson, Phoenixville.
Robert B. Thompson, Freeport.
Robert B. Thompson, Williamstown.

RHODE ISLAND.

Arthur W. Stedman, Wakefield.

WASHINGTON.

David M. Bender, Lynden.

WISCONSIN.

Henry E. Blair, Waukesha.
Platt Durand, Campbellsport.
Paul L. Halline, De Pere.
Robert V. Walker, Odanah.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 10, 1911.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read.

CORRECTION.

Mr. AUSTIN. Mr. Speaker, the RECORD shows that I failed to vote yesterday on a roll call.

The SPEAKER. On which roll call?

Mr. AUSTIN. On ordering the previous question on the adoption of the rule. Page 693 of the RECORD this morning reports I was present and not voting. I never lose an opportunity to vote, Mr. Speaker.

The SPEAKER. Without objection, the correction will be made and the Journal will stand approved.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 115) for the relief of Marcellus Troxell.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 431. An act to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River;

S. 2430. An act for the relief of the heirs of John W. West, deceased;

S. 3898. An act for the relief of the heirs of Lieut. R. B. Calvert, deceased;

S. 7373. An act for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899; and

S. 9449. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 115. An act for the relief of Marcellus Troxell; and

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 9449. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln; to the Committee on the Library.

S. 431. An act to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River; to the Committee on Claims.

S. 2430. An act for the relief of the heirs of John W. West, deceased; to the Committee on Indian Affairs.

S. 3898. An act for the relief of the heirs of Lieut. R. B. Calvert, deceased; to the Committee on War Claims.

S. 7373. An act for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899; to the Committee on War Claims.

GENERAL PENSION BILL.

Mr. FULLER. Mr. Speaker, by the direction of the Committee on Invalid Pensions I move to suspend the rules, discharge the Committee on the Whole House on the state of the Union from the further consideration of the bill (H. R. 29346), and pass the bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 29346) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico.

Be it enacted, etc., That any person who served 90 days or more in the military or naval service of the United States during the late Civil War, or 60 days in the War with Mexico, and who has been honorably discharged therefrom, and who has reached the age of 62 years or over, shall, upon making proof of such facts according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll and be entitled to receive a pension as follows: In case such person has reached the age of 62 years, \$15 per month; 65 years, \$20 per month; 70 years, \$25 per month; 75 years or over, \$30 per month; and such pension shall commence from the date of the filing of the application in the Bureau of Pensions after the passage and approval of this act: *Provided*, That pensioners who are 62 years of age or over, and who are now receiving pensions under existing laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Commissioner of Pensions, in such form as he may prescribe, receive the benefits of this act; and nothing herein contained shall prevent any pensioner or person entitled to a pension from prosecuting his claim and receiving a pension under any other general or special act: *Provided further*, That no person shall receive a pension under any other law at the same time or for the same period that he is receiving a pension under the provisions of this act: *And provided further*, That no person who is now receiving or shall hereafter receive a greater pension under any other general or special law than he would be entitled to receive under the provisions herein shall be pensionable under this act.

SEC. 2. That the benefits of this act shall include any person who served the period of time therein specified during the late Civil War or in the War with Mexico, and who is now or may hereafter become entitled to pension under the acts of June 27, 1890, February 15, 1895, and the joint resolutions of July 1, 1902, and June 28, 1903, or the acts of January 29, 1887, March 3, 1891, February 17, 1897, February 6, 1907, and March 4, 1907.

SEC. 3. That rank in the service shall not be considered in applications filed hereunder.

SEC. 4. That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Bureau of Pensions or securing any pension under this act.

The SPEAKER. Is a second demanded?

Mr. FITZGERALD and Mr. SIMS. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Tennessee demands a second?

Mr. SIMS. Mr. Speaker, I rose for that purpose and used that language and I understand the gentleman from New York [Mr. FITZGERALD] also did. I am not particular who demanded it.

The SPEAKER. The gentleman from New York is opposed to the bill?

Mr. FITZGERALD. I am.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] demands a second.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

Mr. DWIGHT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-four gentlemen are present, not a quorum.

Mr. DWIGHT. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The roll was called and the following gentlemen failed to answer to their names:

| | | | |
|----------------|----------------|----------------|---------------|
| Aiken | Fowler | Korbly | Pujo |
| Ames | Gaines | Kronmiller | Ransdell, La. |
| Andrus | Gardner, Mass. | Law | Reid |
| Ansberry | Garrett | Legare | Reynolds |
| Barchfeld | Gill, Md. | Lindsay | Rhinock |
| Bartlett, Nev. | Gill, Mo. | Livingston | Rodenberg |
| Bowers | Gillespie | Loudenslager | Sheffield |
| Broussard | Glass | Lundin | Sherley |
| Burleson | Goebel | McCredie | Slayden |
| Cantrill | Goldfogle | McGuire, Okla. | Smith, Tex. |
| Capron | Graham, Pa. | McKinlay, Cal. | Southwick |
| Carter | Grant | McMorran | Spight |
| Chapman | Gronna | Madden | Sturgiss |
| Cooper, Pa. | Hamill | Mann | Tawney |
| Coudrey | Harrison | Mays | Taylor, Ala. |
| Covington | Hitchcock | Millington | Tener |
| Cowles | Howard | Mondell | Thomas, Ky. |
| Davidson | Howell, N. J. | Moon, Pa. | Watkins |
| Denby | Hubbard, Iowa | Morehead | Weisse |
| Denver | Huff | Morgan, Mo. | Wheeler |
| Dickson, Miss. | Hughes, W. Va. | Mudd | Wickliffe |
| Dupre | Johnson, Ky. | O'Connell | Willett |
| Edwards, Ky. | Jones | Olcott | Young, Mich. |
| Estopinal | Kellher | Patterson | Young, N. Y. |
| Fassett | Kinkaid, Nebr. | Pearse | |
| Focht | Kinkaid, N. J. | Peters | |
| Foelker | Knapp | Pou | |

The SPEAKER. There are present 280 Members—a quorum.

Mr. DWIGHT. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Doorkeeper will open the doors.

GENERAL PENSION BILL.

Mr. FULLER. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. FULLER] asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Illinois is entitled to 20 minutes, and the gentleman from New York [Mr. FITZGERALD] to 20 minutes.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to print on the subject of this bill.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, I object.

Mr. DWIGHT. Mr. Speaker, I ask unanimous consent that Rule VIII of the House be read, and also the law of August 16, 1872, by the Clerk.

Mr. FITZGERALD. Let us have the regular order. That is not in order at this time.

Mr. DWIGHT. I would like to have it read, inasmuch as there is a quorum present.

Mr. FITZGERALD. Oh, send that notice to the Republicans quietly.

The SPEAKER. The gentleman from New York objects. The gentleman from Illinois [Mr. FULLER] is recognized.

Mr. FULLER. Mr. Speaker, I ask, then, unanimous consent that all Members who speak upon this bill may have five legislative days in which to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent that Members who speak upon this bill have five legislative days to extend their remarks in the RECORD. Is there objection?

Mr. FINLEY. Mr. Speaker, I object.

Mr. FULLER. Mr. Speaker, this bill comes before the House with the unanimous report of the Committee on Invalid Pensions. That committee has been busily engaged in giving its attention to special bills proposing to grant relief for the most needy of those who went out in their young manhood to fight the battles of the Union and who to-day are in distress, many of them for the necessities of life, many of them bedridden, unable to labor, and calling upon their country, to which they gave their best years, to give them relief in their old age, sufficient, at least, to provide for them the ordinary comforts of life.

No man not upon that committee can know anything of the great number of pitiable cases that come before us every day for action and for needed relief. The committee have unanimously determined that the time has come when the Congress of this great Nation should do justice to the defenders of the Union and do what it can to make comfortable the declining years of those old soldiers by general legislation that all may be treated alike. This bill would do away largely with the great number of special bills that we are reporting all the time for the action of Congress. By special legislation we can do justice to only a very few of the most deserving cases and can consider only a small proportion of those referred to the committee. This bill gives uniform relief, and if we are ever going to recognize further the debt this Nation owes to its

defenders, the time has come to-day to do it. All of them now are old men, most of them poor, most of them unable to earn a livelihood by manual labor, many of them in such condition, owing to their service for their country, that they are in need of the constant aid and attendance of another person. More than a hundred of these old soldiers are passing over the "Great Divide" every 24 hours. More than 3,000 every month are going into camp on the other shore, and we can not in justice longer delay. Mr. Speaker, there ought not to be a vote against this bill in this House. There ought not to be a man in this House with so little gratitude to our country's defenders, so little red blood in their veins, as to stand up here and cast a vote against this little measure of relief that we are proposing to give them now. It is right, it is just, it is humane. It is not charity; it is justice.

I can not take further time, because others desire to be heard, and the time is limited. Mr. Speaker, this country is great. It is the greatest, the most powerful, and the most wealthy nation on the face of the earth. Our flag floats in honor over land and over sea the world over, and the men who made it possible that we could have this great, united, rich, and prosperous country are the ones that to-day we are proposing to honor and deal justly by. This money paid for pensions, Mr. Speaker, does more good than any other money that can be, or ever is, appropriated by Congress.

It goes all over the country; it goes into the channels of trade and commerce everywhere. It is expended for the necessities of life, in the communities where the beneficiaries reside, and not a dollar of it is wasted, and, Mr. Speaker, as a measure of future defense to the Republic, I say that the treatment we give our soldiers, if we pass this just legislation, is of more benefit than all the forts and all the battleships that you could build in a hundred years. [Applause.] A great Nation of loyal and patriotic people can never suffer defeat. And the patriotism of our people stands, and forever will stand, as the one greatest bulwark of defense against foreign or domestic aggression. In this Republic there is nothing that stands between us and anarchy on the one side and despotism on the other but the written Constitution of the United States and the patriotism of the people. That patriotism should be encouraged, and the Government should let it be known once for all that no volunteer who offers his life in defense of the Union shall ever suffer want. [Applause.] Let the people of the country everywhere understand that a grateful country will take care of its defenders, will treat them liberally and justly, and when the country needs defenders you will find the boys of the future, with the knowledge that the Government stands by its defenders, ready to volunteer, as they were in 1861 to 1865 and in 1898, and to risk their lives whenever need be in defense of our country and its flag. [Applause.]

Mr. WILSON of Pennsylvania. Will the gentleman yield to a question?

Mr. FULLER. I can not yield to a question; my time is too limited, and others desire to speak.

The SPEAKER. The gentleman declines to yield.

Mr. FULLER. I would like to ask unanimous consent to extend my remarks in the Record and give the balance of my time to others.

The SPEAKER. Is there objection?

Mr. WILSON of Pennsylvania. Will the gentleman yield to a question? If so, I will not object.

Mr. FULLER. Very well; what is the question?

Mr. WILSON of Pennsylvania. The question I want to ask is this: I understand that this motion is not subject to amendment. Would the gentleman agree to amendment in line 12—

Mr. FULLER. I would not agree to any amendment; it does not matter what it is.

Mr. WILSON of Pennsylvania. To strike out, after the word "years," in line 12, on page 1, all down to and including the word "years," in line 1, page 2.

Mr. FULLER. I can not agree to any amendment.

Mr. WILSON of Pennsylvania. The effect of that would be to make the minimum pension \$25 a month.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. FULLER. I reserve the remainder of my time. [Applause.]

Mr. FITZGERALD. I yield to the gentleman from Massachusetts.

Mr. GILLET. Mr. Speaker, it is always pleasanter to vote for than against any appropriation that goes to individuals. It is pleasanter to give than to refuse, and when the giving is at some one else's expense the temptation is strong to be generous. Aside from the intrinsic pleasure of conferring a favor, we all like the reputation of being liberal and free-handed and

large-hearted, and to obtain this reputation without any cost to yourself is certainly alluring. And when the gift is to a large class of individuals who have wide political influence which you believe you are securing to your support the temptation is almost irresistible. A man actuated by selfishness only would vote for every such appropriation, for the general public takes little interest in his action, while those affected by the bill remember it deeply.

To vote for this appropriation, for instance, insures a man the satisfaction of bestowing pleasure on a great number of most deserving citizens; it assists him to the reputation of being generous and free, and it draws to his political support a large number of voters. Every man would prefer to vote for this bill; every selfish motive prompts him to it.

But if we allow those motives to control our action, we sacrifice the interests of the Government which we are here to protect. I think that is the most valid accusation which can be made against Congress to-day. Of graft of any kind we see nothing, but we all know that it is difficult for us to be fair to the Government's interest when it runs counter to our own. Appropriations from the National Treasury which will win us personal popularity are hard to defeat.

This bill is particularly hard to oppose. It appeals to a man's sentiment; it appeals to his impulse of kindness; it appeals strongly to his selfish interests. There is no class of men for whom I would so gladly vote as for the beneficiaries of this bill. I think few Members would jeopardize their political prospects in opposing it more than I do, but I do not think it ought to pass.

The duty and purpose of the Government to provide liberally for needy veterans everyone admits. Appropriations have been made for that end on a scale undreamed of before. There are comfortable homes established open to every needy man, where they enjoy their pension besides, and to those who have relations and friends at home there is given a monthly sum sufficient in ordinary cases to make them welcome guests.

And now comes this proposition to spend \$45,000,000 a year, not upon the needy, but given indiscriminately to the poor and to the rich, to the sick and to the healthy, alike. The veterans of the war are not all needy. They were the flower of our youth. Those who came back disabled were long ago provided for by the general law and will not be affected by this bill. Those who had their health went into the business world; many attained wealth; very many a competence, and do not need this bounty. I think in any further appropriations the time has come to select those in need and not give equally to all.

There are about 550,000 soldiers living. I suppose 150,000 of them are pensioned under the general law or by special acts, and would not be affected by this legislation. Of the remaining 400,000 I presume half do not require assistance. Thousands are in the Government employ, kept there generally because they are veterans, and drawing their pensions too, and the remainder have by their ability earned a competence. Therefore I do not think for that 200,000 we need to appropriate.

For the other 200,000 who are needy let us appropriate according to their needs. Let us give to ward off suffering, but let us not give to earn political gratitude. I appreciate fully the debt we owe to the veterans of the Civil War. I believe in generously admitting and paying that debt, and I think the veterans in my district have known and appreciated my interest in their behalf. I presume my political enemies will attempt to convince them now that I have deserted them.

But I do not believe this indiscriminate appropriation of \$45,000,000 is justified. I do not think it is the way to redeem our pledges to care for the veterans, and I hope it will not become a law.

Mr. FITZGERALD. I yield to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, in two minutes it is of course manifestly impossible to make any argument for or against the merits of this bill, and I have only asked for that time in order to explain my vote.

Two courses appear open to me in this matter—one the easy course, the other the difficult course. The gentleman from Massachusetts [Mr. GILLET] has well described the easy one, but that is not the course which in this instance I feel that I can follow. The only information with regard to the amount of expense that will be incurred in the passage of this bill is contained in the report of the committee, which shows that at the lowest estimate it will amount to more than \$45,000,000 a year. This bill comes up under a suspension of the rules, where no amendment is possible. We must either vote it up or vote it down. I should be glad to vote for a reasonable increase of the pensions now in force, but not for one which will involve as much as \$45,000,000 a year at this particular time. The

complaint of the people of this country to-day is that their necessary cost of living already presses heavily upon them. If we pass this bill it may result in an increase in their taxes by an amount equivalent to nearly \$50,000,000 a year. I do not believe we can afford to take that risk.

It is with great regret that I take this course, because I would be very loath to have it said that I was opposed to any recognition of the claims of the old soldiers of this country; but inasmuch as it would be adding an increased burden to the revenues of this country to do this at a time when the condition of the Treasury can ill afford it to the extent of more than \$45,000,000 a year, I shall cast my vote in opposition to this motion to suspend the rules.

[By unanimous consent Mr. LONGWORTH was granted leave to extend his remarks in the RECORD.]

Mr. FULLER. I yield to the gentleman from Kansas [Mr. CALDERHEAD].

Mr. CALDERHEAD. Mr. Speaker, in the three minutes allowed me I will not undertake to detail to this House the steps by which the committee have come to the conclusion that this is the wisest legislation upon the subject of pensions which the Congress can give to the people of the country. I will not undertake now to go into a detail of the foundation upon which this pension rests, but I must say in answer to the gentleman from Massachusetts [Mr. GILLET] that he has mistaken the foundation of it. The pensions granted to the soldiers who gave their service and offered their lives to maintain the life of the Nation are not pauper pensions, given to relieve from poverty. They are not pensions granted to paupers to save them from the county poorhouse. This is not a pension to paupers. This is the answer of the Nation to the men who saved it alive. There is no distinction to be made in the rank of the men who gave that service in the degree of this pension. It is given in the honor of the Nation. At the time when this service was rendered the wealth of this country was in the State of the gentleman from Massachusetts and in the State of the gentleman from Pennsylvania and in the State of the gentleman from the State of New York.

The wealth of this country west of the Mississippi River was so insignificant that it was hardly worth counting in a battle for the preservation of wealth. It was not a battle for the preservation of property; but all the property interests of this country were saved when the Union was saved, and the men who saved it gave their services voluntarily to perpetuate, not the wealth of Massachusetts or Pennsylvania or New York, to save not the almshouses of Massachusetts or of New England or of Pennsylvania or of New York, but to save the Nation alive amongst the nations of the earth; a Nation founded upon liberty and equality for all men; and it is because by their service they saved this Union and this Nation that the honor of the Nation, now richer than any other on the face of this habitable earth, now richer in individual manhood, a Nation that owns one-half of the railroads of the whole world, a Nation that now owns one-half of the banking power of the entire globe, a Nation that now owns one-half of the manufacturing and producing power of civilization, a Nation that leads the march of nations forward and upward; the honor of this Nation was then pledged to the world that no man who offered his life for its preservation should be in distress. And we now redeem that pledge. They did it without regard to a reward. And we now do this in honor to them. [Applause.]

[By unanimous consent leave was granted to Mr. CALDERHEAD to extend his remarks in the RECORD.]

Mr. FULLER. I yield to the gentleman from Indiana [Mr. DIXON].

Mr. DIXON of Indiana. Mr. Speaker, as a member of the minority party of the committee unanimously reporting this bill, I desire to say that while that minority preferred to report another bill, one that would more surely meet the approval of the soldiers and be more generous toward them, we all joined in the approval and unanimous report, favoring the passage of the pending measure. Personally, I would have preferred the dollar-a-day bill I have introduced in a former Congress and reintroduced in the present Congress, but I believe if you can not get what you want, it is best to take what you can get. It is true that a dollar-a-day pension law would have cost more money, but its benefits and blessings would have been correspondingly greater.

The enactment into law of this bill will increase the pensions of many thousands of soldiers who are now receiving less than the amount carried in the pending measure. This is in effect an amendment of the act of February 6, 1907, and increases the amount allowed under that law, to wit, \$12 to \$20, according to age, to \$15 to \$36. The soldier who served in the military or naval service of the United States during the Civil War, or 60

days in the War with Mexico, and was honorably discharged therefrom, upon arrival at the age of 62 years will receive a pension of \$15 per month; at 65, the sum of \$20 per month; at 70, the sum of \$25 per month; and at 75, the sum of \$36 per month. Those who have already reached said ages are entitled to the benefits of the law, from the date of filing their applications in the Bureau of Pensions.

The only qualification required, aside from length of service and honorable discharge, is the required age. The only soldiers excluded from its provisions are those without honorable discharge and those whose services were less than 90 days.

Elections, we are led to believe, affect legislation. We are led to believe that the result of the recent elections in some of the great States of the Middle West has not only opened the ears, but it has opened the hearts of the ruling powers in Congress to the claims of the soldiers, and they are willing to-day to give time for the passage of a measure that could not receive respectful consideration in any previous session of this Congress. [Applause.]

But we are glad of the result whatever may have been the purpose, and we gladly give it our support. These men came to the rescue of the Government in its hour of helplessness, and a great and prosperous Nation should come to their help in their hour of helplessness. This legislation could not be forced upon the attention of the ruling powers in the second session of this Congress, but it needed no power to secure their attention in the third session. Hundreds of bills similar to the pending measure have been put to eternal rest in former sessions. We rejoice at the result since the benefits accruing therefrom are unaffected by the reasons for that result. In Indiana and Ohio the Democratic platforms demanded more liberal pensions, for the dollar-a-day proposition, and many of the soldiers, having grown weary of repeated promises and neglected fulfillment, turned to our party for help, and this fact, I do not doubt, was one important reason for this sudden conversion. This legislation is right and should have been enacted before this time.

I do not believe that there should ever be any politics in this class of legislation, but that it should always be in response to the highest motives of patriotism and in recognition for the valued services of the soldiers. No mere money consideration can ever repay them for the services they performed; the hardships they withstood or the sufferings they endured. These men gave the vigor and strength of their early manhood to the Nation and made it the greatest of the powers of the earth, and now in their helplessness, the prosperous Nation should not hesitate to give out of its abundance of riches a sufficient sum to furnish them food, shelter, and support.

The war in which the men benefited by this bill were engaged is without a parallel in history. Its magnitude, now 45 years after its close, is not fully known by the rising generation. The number of Union soldiers enlisted was 2,778,304, of which number 543,393 were reenlistments, making the total number of soldiers 2,234,911.

In the Franco-Prussian War was the largest number of soldiers ever assembled in a European war, yet the total number was a million less than the Union soldiers of the Civil War.

The soldiers of the Union in the Civil War were three times as many as the total number of American troops in the Revolutionary War, Mexican War, the second War with England, and the War with Spain. The loss in killed and wounded in battle was many, many times as great.

Our children read of the Charge of the Light Brigade, as immortalized in poetry, yet the loss in killed and wounded in that famous charge was but 36.7 per cent.

There were more than a hundred regiments in the Civil War where the loss exceeded that of this well-known charge. In fact, the records show that there were 72 Union and 53 Confederate regiments, each of which lost in a single battle over 50 per cent of those engaged.

On June 30, 1910, there were Civil War soldiers on the pension rolls numbering 562,615.

This measure, when enacted into law, will at once increase the pensions as follows: From \$12 per month to \$15, 93,589; \$12 to \$20, 184,577; \$15 to \$25, 101,778; and \$25 to \$36, 63,461.

The increase granted to these men will, in one year, it is estimated, amount to \$45,489,468—a few less battle ships or a reduction in our military and naval expenses will make up this extra expenditure. These veterans, weakened and diseased from their Army sufferings and hardships, are dying at the rate of 36,000 per year, nearly 100 per day. This per cent will increase each year, as more than one-third of these soldiers are now over 70 years of age. These older veterans can not live many years longer. Let them have the most generous support of the Government they preserved, and the love and respect of the people who enjoy the blessings of that Government.

There are 2,910 Mexican soldiers now on the pension rolls, a very few of whom are under 75 years of age, and hence practically all of them will be entitled to \$36 per month under this bill. On June 30, 1910, there were 56,416 pensioners in the State of Indiana, and the amount paid them last year was \$10,546,090.58. This number included widows, children, and soldiers of all wars. The average annual amount of each pension in Indiana is \$186.93; in the entire country, \$171.90.

In that war over a million of the Union soldiers were at the date of enlistment under 18 years of age, and 80 per cent of the total enlistment were 21 years of age and under. In that great struggle Indiana did her full duty.

Within seven days from the date of the President's call for 75,000 troops, Indiana had 12,000 in camp, ready to march to the seat of war. Our State furnished 196,363 troops, and that was more than 50 per cent of her population eligible by age for military service. Taking into consideration her population, eligible for the Army, she furnished a larger proportion of soldiers than any State in the Union, with but a single exception. Her sons were found in every great battle of the war, and where the shots were thickest and the fighting fiercest and bloodiest, there the sons of Indiana were always found. We honor our Nation, our States, and ourselves when we honor these brave men.

We should not forget their services; enlistment was a serious business, a trying ordeal. They had hopes that must be abandoned, opportunities that must be lost, homes and loved ones that must be left behind, and business that must be forgotten. All these were laid aside and the hardships and privations of a soldier's life voluntarily assumed. The volunteer who presented himself to his country to be uniformed for battle and robed for death exhibited the highest and loftiest element of patriotism. Many of these brave men fell upon the field of battle; many dropped by the wayside, worn and weary from the long and forced marches; many dropped from the gunboats, and the rush of the waters was their only requiem; many died from disease in camps and in hospitals; many lingered in the slow death of prison martyrdom; and few, if any, returned unmarked in strength and health from that terrible conflict, that four years of struggle and privation.

A strong and generous nation should not allow any of these brave survivors to want for the comforts of life. This should be given not as an act of charity, but as an act of justice; not a matter of sympathy, but a recognition of gratitude. This debt of gratitude should be paid while the men are alive. We garland the graves of their dead on Memorial Day, and it is a proper and patriotic tribute to the dead, but the choicest flowers should go to the veterans living. The grave covered with the loveliest of earth's most beautiful flowers is but an expression of human sentiment and love; the soldiers living should be shown gratitude, kindness, respect, and generosity by the Government they saved and by all of us who enjoy the blessings and benefits of their services.

These men settled by the sword what their forefathers were unable to settle by compromise—the questions of human slavery and peaceful separation. That settlement was right, and all sections of our common country ratify and approve that solution. They established the American doctrine beyond dispute that a volunteer soldiery taken from the pursuits of industrial life can be depended upon to defend the country in time of war and a large standing army is unnecessary for the safety and security of our Government.

It is sad, indeed, to observe the aging of our soldiers. The long list is being rapidly diminished by death. Hardships borne and exposure suffered has hastened that event. It is difficult to identify in the grizzled veterans with the unsteady step and bended bodies the brave and heroic boys who with strength and patriotic fervor scaled the precipitous heights of Lookout Mountain and marched with Sherman to the sea. But a few more years and the last of this noble band will be laid to rest and the history of their deeds be but a sacred memory. But, while men are mortal, their deeds are immortal and will be forever cherished in the recollections of a grateful people. Since I have been a Member of Congress I have served on this committee, reporting this bill for passage. During that time we have reported the bill increasing the widows' pension from eight to twelve dollars and the McCumber bill, under which 362,384 soldiers are now pensioned. I have gladly supported these measures, and as long as I am a Member of Congress I expect to use my efforts to secure for these old soldiers the generous treatment and support they so richly deserve.

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman from Alabama [Mr. Hobson].

Mr. HOBSON. Mr. Speaker, I am opposed to this measure. In the two minutes allowed me it will be impossible to discuss

this measure in any detail. While I am in full sympathy with the principle of caring generously for soldiers and sailors who gave their service and offered their lives freely to their country in war, I believe that this bill is not based on sound policy. In a matter of such great importance and involving such large expenditures we should establish a sound and wise practice and grounded upon merit of service and the needs of the pensioner. There is no way in this measure to distinguish between a legitimate and proper case for a just pension and one that has no such merit. If tested by any pension policy of any civilized government in history, such a bill, ignoring the cardinal factors, merit and need, could never stand. We have already gone too far in our pension policy in confounding the deserving with the undeserving, and the stupendous expenditures for unworthy cases is coming to imperil the cause of the deserving. The time has come when our pension policy should be based on principle and administered upon sound business methods. Our present policy is tending to pauperize able-bodied men and restrict the funds available for really needy soldiers and their dependents. This bill does not fulfill the requirements of principle or of sound public policy, and in my judgment should not prevail.

Mr. CARY. Will the gentleman yield for a question?

Mr. HOBSON. I will yield to the gentleman.

Mr. CARY. I would like to ask the gentleman if he believes that this bill is not a cheaper way of getting a pension to the boys than by special acts.

Mr. HOBSON. I would say that I would rather take up legitimate cases in special bills than to get illegitimate cases in a general bill along with the legitimate cases. As a matter of fact, the passage of the last general bill of this nature did not reduce, but actually increased the number of demands for special bills.

Mr. KENDALL. Mr. Speaker, on April 12, 1909, I introduced into this House a bill allowing to every honorably discharged soldier who served 90 days or more in the Civil War a pension of a dollar a day for the remainder of his life. That measure was referred to the Committee on Invalid Pensions, where the proposition it embodies has been the subject of protracted consideration. In my judgment, the principle it establishes is the most equitable yet proposed, and I have abated no degree of earnestness in its advocacy. I have done whatsoever I might properly do as a Representative in Congress to create a public sentiment demanding more liberal legislation for the disabled veterans, and I am proud to believe that to the agitation in which we have been engaged may be attributed the measure which is now engaging the attention of the House. This bill grants \$15 per month at 62 years, \$20 per month at 65 years, \$25 per month at 70 years, and \$36 per month at 75 years.

I have become convinced that the measure which I have introduced can not be enacted into law at this session of Congress; the opposition to it is too powerful to be overthrown. I have determined therefore to support the pending bill as the best alternative that can be secured. It is a substantial improvement over existing law, and will afford needed relief to thousands of worthy soldiers who are denied additional benefits under the present statute. These men, young and vigorous when they enlisted, are old and broken now. They are entitled to the most generous consideration by their grateful Government. When the perpetuity of the Republic was imperiled, when the dissolution of the Union was threatened, when the permanence of free institutions was jeopardized, they listened only to the voice of patriotism and offered themselves a willing sacrifice upon the altar of their country. No imagination can describe the dangers which they confronted, nor the privations which they endured. Their achievements are unprecedented in the history of civilization, and the record of their valor offers an illustration of heroism unapproached in the annals of the world. To indulge in paraphrase, "Of all that is good, they are entitled to the best." I vote for this bill because I am apprehensive that if it is defeated no legislation whatever will be possible during the Sixty-first Congress.

Mr. PAYNE. Mr. Speaker, I have voted for every pension bill that came before the House for the last 26 years, and I voted for them cheerfully, from a sense of gratitude, which no man can measure, which the country feels toward those who saved the country in the sixties, but I do not propose to vote for this bill to-day. I do not see any excuse for bringing in a bill here with rates of pensions making such an inroad upon the revenues of the Government.

The estimate is for forty-five and one-half millions of dollars. We have never yet had an estimate that was not exceeded by a good many millions of dollars. This is an estimate which brings the total annual pensions to about \$200,000,000. The gentleman in charge of the bill speaks of the distressing cases that have come before his committee. I take it that they have relieved those distressing cases, but if they are not able to

reach them all, I point out to them, by enacting into general law the rules which they enforce when bills are brought before that committee, giving the administration of it to the Pension Bureau, they would relieve nearly all of those cases calling for a larger pension. It is a great increase over what is asked by the veterans themselves, who in their meeting at Atlantic City asked for a rate of pension much below this, that would not cost half the annual increase that this pension bill will cost if passed.

I can not justify myself in the discharge of my duty, under my oath of office, in voting for a bill that makes such a draft as this upon the Treasury at this time. It is brought up under suspension of the rules. There can be no amendment. If there were an amendment that could be offered, paying the rate asked for by the veterans themselves, I would vote for it. If some measure could be adopted here which would relieve those cases that come before the Committee on Pensions, I would cheerfully vote for that, but I can not vote for this bill.

Mr. Speaker, I shall take advantage of the leave I have to print briefly to elaborate and extend the remarks I made in the two minutes allotted to me under the rule that allows us only 25 minutes to present the objections to the bill carrying over \$45,000,000 per annum.

There was no necessity for bringing this bill up under suspension of the rules, because it had the same privilege as a revenue measure and could have been called up in the House at any time. The House could have discussed it until the previous question was ordered; amendments could have been offered, and the mistake in facts made in the debate by those who favored it could have been corrected on the floor of the House before the Members were called upon to vote.

We are told in this debate that the estimate of the Commissioner of Pensions at \$45,000,000 is too high, and that so much money can not be spent under this bill during the first year, because all the pensions can not be granted at once. But the bill provides that all pensions "shall commence from the date of the filing of the application in the Bureau of Pensions after the passage and approval of this act." Under this clause no claimant will wait, and all claims will be filed right away after the bill becomes a law, and the pension will begin to accrue at once. We have never yet had an estimate that was not exceeded by many millions of dollars by the actual payments under the law. The expenditures under this act are likely to be nearer \$60,000,000 than the \$45,000,000 estimated.

The astonishing statement was made in the debate:

Already this year, after we have paid the expenses of this great Republic from the revenue laws of the country in the first six months, we have \$30,000,000 surplus, and it is fair to say on the 1st day of July next that \$30,000,000 will be doubled to \$60,000,000.

On the contrary, the daily statement of the Treasury Department, dated January 9, 1911, reported a deficit for the fiscal year beginning July 1 last of \$6,528,616.04, without counting the further deficit of \$19,922,665.57 disbursements for the Panama Canal, making a total deficit of \$26,451,281.61. Here is a mistake amounting to more than fifty-six and one-half million dollars. If this bill is enacted, it will produce an enormous deficit.

A part of what President Taft said in his message on pensions was quoted in the debate as an argument for the passage of this bill. Here is what he said:

PENSIONS.

The uniform policy of the Government in the matter of granting pensions to those gallant and devoted men who fought to save the life of the Nation in the perilous days of the great Civil War has always been of the most liberal character. Those men are now rapidly passing away. The best obtainable official statistics show that they are dying at the rate of something over 3,000 a month, and, in view of their advancing years, this rate must inevitably, in proportion, rapidly increase. To the man who risked everything on the field of battle to save the Nation in the hour of its direst need we owe a debt which has not been and should not be computed in a begrudging or parsimonious spirit.

So much was quoted in the debate, but the following sentence was omitted. Here is the omitted sentence:

But while we should be actuated by this spirit to the soldier himself, care should be exercised not to go to absurd lengths or distribute the bounty of the Government to classes of persons who may, at this late day, from a mere mercenary motive, seek to obtain some legal relation with an old veteran now tottering on the brink of the grave.

The President added to what was also quoted the concluding sentence, as follows:

The true spirit of the pension laws is to be found in the noble sentiments expressed by Mr. Lincoln in his last inaugural address, wherein, in speaking of the Nation's duty to its soldiers when the struggle should be over, he said we should "care for him who shall have borne the battle, and for his widow and orphans."

When we get all the President said on this subject, no one will seriously contend that it is an argument in favor of the passage of the pending bill. It is a caution to Congress to exer-

cise great care in the consideration of a bill of the character under consideration.

The statement was made in debate that the bill recommended by the Grand Army would cost the Treasury more than the bill before the House. I get the terms of the Grand Army bill from a letter of Charles W. Allen, president, and N. K. Van Husen, secretary and treasurer, of the Nebraska pension committee, dated December 28, 1910, namely, \$15 per month to those veterans who have reached the age of 66, \$20 per month to those who have reached the age of 70, and \$25 per month to all over 75 years.

I have other letters confirming this proposition. In this bill the rates are \$15 per month to those who have reached the age of 62 years; 65 years, \$20 per month; 70 years, \$25 per month; 75 years or over, \$36 per month. The mere statement of the figures more than justifies my assertion that the Grand Army bill would not cost half as much as the bill under discussion. What excuse is there for granting double the amount asked by the veterans themselves?

I have met every argument that was urged in favor of the passage of this bill by the cold facts gathered from official sources. This bill was uncalled for. It did not receive the sanction of many veterans until after it was reported favorably to the House, and during the whole period I have received a letter from but one veteran in my district asking for its passage, while I have received many others protesting against it. The veteran who served for three and a half years protests against being placed on the same plane for service pension with the man who served only 90 days, and he has just cause for complaint.

There is no rule by which we can determine the degree of disability and helplessness of the veteran by the fact that he has passed the age of 75 years. It would have been far more just to have enacted into law, as I suggested, the rules adopted by the Pension Committees of the two Houses, under which they are reporting special bills, and give the Commissioner of Pensions authority to grant pensions in accordance with these rules. The affidavits which are now examined hastily by the committees, from the necessities of the case, would have had to undergo the scrutiny of the Pension Bureau, and the facts could be far more easily and accurately established.

I yield to no man in my anxiety to do honor and give comfort to the veterans of the war. No man has worked with more zeal to get their just rights before the Pension Bureau and the committees of Congress; but I can not vote for legislation wrong in principle, crude in its preparation, and subject to such just criticism as the measure before the House.

Mr. FITZGERALD. I yield to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I shall vote against this motion to suspend the rules, and desire simply to give my reasons for it. In the first place it is an enormous drag upon the Treasury, and in the second place this bill is called up at this time with no opportunity to offer amendments, no opportunity to discuss it, no opportunity to dissect it at all. I will go as far as any man in this House, no matter whence he comes, in taking care of the soldiers of the Republic, but it is unjust, it is wrong, to place the soldiers of the Civil War and the Mexican War upon a basis not accorded to the few hundred old veterans of the Seminole Indian wars of Florida. Those people are entitled to as much credit, to as much governmental care and protection, as any other soldiers who have followed the flag of this country. For that reason I shall vote against the motion to suspend the rules.

The SPEAKER. The time of the gentleman has expired.

Mr. WEEKS. Mr. Speaker, while there is a difference of opinion as to the advisability of pension legislation, and the extent to which it should go, there is no doubt as to the proposition that the least justifiable of all pension legislation is a blanket bill which provides for all classes of service. That is the character of the bill now pending before the House. It is true that we have passed a service pension act. It did not get its initiative in Congress, however, but was the result of an Executive act, and the bill passed Congress very largely to satisfy the scruples of many who believed that the Executive act was not legal. In any case, it proposed to pay pensions to those who had served three months during the Civil War and who had reached a certain age, the pension to depend on the age. Now it is proposed to increase the amount of pension, with some variations, so that the total appropriation for pensions will be increased \$45,000,000. I fully approve of the methods which have been followed in the past, providing pensions for those who were injured during the war, or who, on account of the war, have lost their health, or who, during their old age, have met financial reverses, so that they are now in want. I approve of the payment of pensions to soldiers' widows who were the wives of such

soldiers during their war service; and quite likely there is justification in paying pensions up to the time provided in the law—that is, to June 30, 1890. I approve of paying pensions to the dependents of a soldier until they reach suitable age to provide for themselves, but there can be no justification in paying pensions to others than these classes. Men do not go into the volunteer service on account of the money they will get out of it, either during their service or afterwards. A man would be a pretty shabby kind of patriot who would enter the service for those reasons. They go into such a service as existed during our Civil War, first, because men like excitement and because they wished to be of service to their country; secondly, because they were paid a special bounty for entering the service.

I do not wish to criticize many men who received a bounty, because in numberless cases these men had others dependent on them, so that it was quite as much their duty to look after these dependents as to serve their country, and the bounty which they received enabled them to enter the service. I doubt, however, if 1 per cent of those who enter the volunteer service in time of war do so because of the pay which they receive or the emoluments which they will be likely to get under it, and while great stress is laid on the fact that these men were promised, when the volunteer force was raised in 1861, that they should receive care and protection, I do not find anything in the report which covers the consideration of that act which justifies one in believing anything else than that these men were to be treated like Regulars during their service, and that if they suffered on account of the service that as far as possible they should be provided for. Neither do I place any reliance in the frequently advanced statement that Army service puts men back so that they are unable to recover themselves and provide for their own futures. My own judgment is that military service, in the militia or elsewhere, makes a better equipped man than he otherwise would be, and I have no doubt that those young men who went into the Civil War and came out physically sound were as far ahead in the civil affairs of life five years after the close of the war as they would have been if they had not gone into the service at all.

Furthermore, there are thousands and tens of thousands of men who do not need this pension. It is not only our business to provide suitable provision for the soldiers of the war, but it is equally our business to see that the revenues raised by taxing the other ninety-one millions of this country are not mispent, and I submit to this House that if we raise \$45,000,000 and pay a large percentage of that to men who are perfectly competent to provide for themselves, who do not wish this money voted to them, but who would quite likely draw it if it is voted, we are misappropriating funds in a way for which there is no justification. It is frequently stated, and the impression is broadcast, that the soldiers of the Civil War have not, generally speaking, been able to make suitable provision for themselves. Every Member of this House will recall, when he thinks of the soldiers who live in his district, a large number who have made ample provision for themselves. I need not give any other instance than one which I saw in the Washington Post of yesterday morning, which described a picket post on the Rappahannock River soon after the battle of Fredericksburg and the personnel of the men stationed at that post. I think their pictures appeared in the paper, but in any case they included three of the greatest steel manufacturers this country has produced—William Jones, who was superintendent of the Edgar Thomson Steel Works at Braddock, Pa.; George M. Laughlin, head of the Jones & Laughlin Steel Works; Henry M. Curry, of the Carnegie Steel Works; and George Baer, now the president of the Reading Railroad, one of the leading railroad men of this country. Two of these men are no longer living, but any community can furnish illustrations of men of similar financial responsibility, and many of them of lesser but ample financial responsibility; and yet we are asked to tax the people to pay money to such men, without any regard to their need or their desire for it. To correct this, if I had the opportunity to do so, which, under the rules, I had not, I should offer this amendment:

And provided further, That no part of the appropriation under this act shall be paid to any person whose annual income exceeds \$1,000.

If this bill had provided that money should be paid only to those who demonstrated their inability to provide for themselves, either on account of sickness or for any other reason, I should be glad to advocate it, and I believe that I should be justified in so doing; but, while I am well aware that my action will quite likely be misconstrued, and that it will disappoint some men who would benefit by this act, I can not satisfy my conscience to take any other action; and, furthermore, I believe that when the public and the old soldiers themselves consider the reasons why the bill should not be passed, they will be in accord with those who vote against it rather than with

those who are willing to embarrass the Treasury for such a purpose. And I wish to call the attention of the House to the condition of the Treasury. If this bill passes and becomes a law it will be necessary to make an issue of bonds without delay to furnish the funds to reimburse the Treasury on account of this appropriation. Everyone who has been watching the Treasury balances knows that we are living from hand to mouth, and that, as far as possible, economies have been introduced into every part of Government service. What possible encouragement is there for Congress to hesitate about raising the pay of some individual who needs more pay, or appropriating a little more money to get better service in some direction, as is being done in all directions and by all committees having charge of appropriations in this House, and then turning in one act, after 40 minutes' deliberation, and voting \$45,000,000, one-half of which, it is safe to say, will go to men who have no possible claim on the Government, and no particular need for the money which they will receive?

Furthermore, the committee makes the statement in its report that it will quite likely lessen the work of the Pension Committee in considering special legislation, although the bill makes positive provision that it shall not preclude the introduction and consideration of special pension bills in future. I think I am in fairly close touch with the old soldiers of my district, and, as far as I know, substantially every meritorious case which I have submitted to the Pension Committee for special pension, up to this Congress, has been reported on favorably. If there are veterans in my district who are helpless, and who are not receiving more than the service pension provides, I have not been informed of their cases. In addition, there is no greater reason now for paying \$15 to a man who has reached the age of 62 than there was for paying him \$12 when the original service pension bill was passed, and I wish to call the attention of the House to the general statement made in the report of the committee, that it is necessary to provide for these old veterans who can not provide for themselves. Of course everybody knows that \$15 a month does not provide for a man who is unable to provide for himself. Neither does \$20 a month, or \$25 a month, or even \$30 a month. If we are really going to provide for these men, and it is necessary to do it, provision should be made to maintain them in a condition of decency rather than to give them the stipend which this bill provides. Much better would it be to make larger provision for the helpless and really needy, and no provision for those who have no claim on the Treasury. I can not believe that the men who defended and protected the Treasury in the Civil War days are going to join in raiding it now when it is in sore distress. When you substitute the almighty dollar for the flag, in an appeal for volunteers, you are Hessianizing patriotism—an unjustifiable and reprehensible act from every standpoint—degrading to the man who served during the Civil War, demoralizing to the man of to-day, and surely preventing the possibility in future of a ready and enthusiastic rallying to the country's defense if the country needs the service of coming generations.

Mr. GOULDEN. Mr. Speaker, in the limited time allowed for the discussion of this important legislation I will not attempt to discuss its merits.

I am heartily in favor of any legislation that will do justice to the men who successfully fought the Nation's battles, preserved the Union, and carried freedom to other peoples and countries under the flag.

As a member of the committee on legislation of the National Department, Grand Army of the Republic, I ask unanimous consent to insert in the Record as a part of my remarks the official General Orders, No. 4, issued by the commander in chief and adopted at the national encampment held in Atlantic City, N. J., in 1910, showing the position of the more than 300,000 members of that patriotic organization:

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,
Statehouse, Boston, Mass., November 30, 1910.

I. In order that all comrades may have authoritative and accurate information of the action of the last national encampment regarding pensions, the following is published:

The committee on pensions recommended in their report that the encampment "indorse the bill presented by the Hon. P. J. McCUMBER, granting a pension of \$12 a month to widows; also a bill to increase ratings of Army nurses on the lines of the McCumber age act." The committee also suggested "that the pension committee be appointed by the incoming commander in chief be charged with the consideration of a bill to increase the ratings of pensioners above 70 years of age and submit a report, with recommendations, to the executive committee of the council of administration for its action."

The report of this committee was referred to the committee on resolutions, who reported the following:

"Resolved, That our pension committee be, and they are hereby, requested to consider, and, if possible, to procure the passage of an amendment to the age act of 1907, so as to give a rating of \$12 at 62 years of age, \$15 at 66 years of age, \$20 at 70 years of age, and \$25 at 75 years of age, and where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on

the pension roll at \$30 a month, and we approve of the report of the committee on pensions, save as modified by this resolution."

One member of the committee on resolutions dissented, and moved the adoption of a resolve favoring "the enactment of a law giving to every honorably discharged Union soldier, or sailor during the late war a pension at the rate of a dollar a day."

After a full and spirited debate the proposed substitute was rejected and the committee's resolution adopted by an overwhelming majority. It will be observed that the points in which the report of the pension committee are modified are:

1. Advancing the age for increasing the rating from \$12 to \$15 a month to 66.

2. Specifying \$20 and \$25 per month at the ages of 70 and 75, respectively, as the increased ratings of pensions above 70 years of age.

3. Adding a special rate of \$30 per month for physical incapacity for labor, regardless of age.

The net result is that the National Encampment now stands for the following pension measures:

1. To increase the rate for soldiers and sailors under the act of 1907 from \$12 to \$15 a month at the age of 66 years, from \$15 to \$20 at the age of 70, and from \$20 to \$25 at 75, and to give a rating of \$30 per month, regardless of age, in case of physical incapacity for labor.

2. To extend the provisions of the widows' pension act so as to include all who at the time of the husband's death had maintained marital relations with him for three years. (Under the present law the widow must have married the soldier prior to July 27, 1890.)

3. To increase the ratings of Army nurses along the lines of the McCumber age act; that is to say, to make the nurse's pension the same as the soldier's, so far as age is concerned.

The pension committee will be instructed to prepare bills in accordance with the foregoing instructions, and present them to Congress at the coming session and use all proper means for their passage. In this work let us not offend wisdom and invite failure by divided counsel or effort. The national encampment having spoken clearly and with impressive emphasis, it is the duty of every comrade to unite in carrying out its will with "that solidarity which makes for success."

[Mr. SMALL addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I ask unanimous consent that the time be extended 10 minutes on each side.

The SPEAKER. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I object.

Mr. FITZGERALD. There are no other requests for time on this side, I will say to the gentleman from Illinois, and unless some other gentleman wishes to speak in opposition to the bill I shall close discussion on this side and the gentleman can use up such time as he intends with other speakers.

Mr. MADDEN. Mr. Speaker, when the Nation enacts legislation for the relief of the men who fought to save the Union, it honors itself while granting a simple measure of justice. To say the expense is great is but to beg the question. The question of expense should not enter into the consideration of the measure now before the House. The important thing to consider is, Does the Nation owe the surviving veterans anything? If so, what? It can not be denied that if the time is ever to come when justice is to be done to those who fought the battles for the preservation of the Union that time is here now. Those who now survive have reached an age which unfits them for active work. Most of them are unfit to perform manual labor—some on account of disease contracted in the service, some as the result of wounds received, and others by reason of advancing age—and all merit the kindest consideration at the hands of the Government for the valor and patriotism displayed in the time of the country's direst need.

The Nation owes these men a debt of gratitude which can not be measured in dollars and cents. It is through the patriotism of the veterans of the Civil War that we who are here to-day are able to enjoy the full measure of liberty to which we have attained. The readiness with which our citizens respond to the Nation's call in defense of the flag whenever needed makes the maintenance of a large standing army unnecessary, and the saving to the people on that account in times of peace is so great that we can afford to practice the utmost liberality in caring for those who come to the country's defense in time of need. It is to the credit of the American people that they do not forget the obligation due to these men. They are entitled to believe that their services will be appreciated, and I am proud to notice that the disposition of the House is to remember the obligation due them. We never can pay the debt we owe them; the most we can do is to grant a small measure of relief in the form of pensions which will, in a limited way, insure a living to those who are no longer able to provide for themselves. It is objected that this law will apply to wealthy men no less than to those who are poor. True, it does, but no law can be enacted which is not general in its character. Pensions are granted for service rendered, not as a matter of charity, but as a recognition of the obligation of the Government to the men who rendered the service. It would be unjust to say that because a man who served his country has grown rich he should not be recognized as worthy of the Nation's gratitude. If our citizens know they will be provided for in their declining years, they will be encouraged to offer themselves in defense of the flag whenever necessary. We should encourage them in the belief that it is upon their valor and patriotism the integrity

of the Nation depends, and that no man who comes to its defense will ever be forgotten. The veterans of the Civil War are rapidly passing away; they are dying at the rate of 3,000 a month. This ratio will continue to increase.

In 10 years more there will be but few of the 450,000 now living left to draw pensions. Most of them will, before the end of the next decade, be summoned to answer the last bugle call. It is fitting, therefore, that the Congress should at this time make liberal provision for the care and comfort of the men to whom we owe so much.

The country is great in territory, rich in resources, rich in material wealth, rich in the patriotism of its citizens, rich in its gratitude to its defenders, but above and beyond all it is rich in the sense of honor displayed in the payment of the obligation due to its defenders. It will give me pleasure to record my vote in favor of the pending bill increasing the pensions of the surviving veterans of the Civil War. I venture the hope that if the time ever comes when further legislation may be thought necessary to extend a more liberal measure of relief the Congress will be prompt to act.

In the meantime it is my earnest wish that those who come under the provisions of the present law may live long to enjoy the privileges it grants.

Mr. ASHBROOK. Mr. Speaker, I am glad to vote for this bill and to have the opportunity to give public expression upon a question in which I am so deeply interested.

It may not give evidence of high statesmanship, according to the gauge of some, when I say that I have devoted my energies and efforts during my membership here more assiduously to bringing needed relief to the veterans of our wars, their widows and orphans, than to any other proposition, but certainly none will deny that no more patriotic purpose could engage one's time and attention.

This bill, like every other bill of a general nature, may be, and I believe is, subject to some just criticism. It quite likely will not work out equitably and fairly in each and every instance, but it certainly will give more generous recognition to the men who preserved this great Union and made possible our wonderful growth, development, and prosperity of the past 40 years. For that reason, Mr. Speaker, I am for the bill, despite its faults and the great cost it incurs.

I regret that there should be a voice or vote against this bill, but I am glad that opposition, if there must be, comes so largely from distinguished gentlemen across the aisle, who while proclaiming friendship for the old soldier justify their opposition because they believe the Treasury can not now well permit an additional draft of \$45,000,000 or more, and because this bill, like all general acts, will apply to the rich and poor alike.

So far as the first objection raised is concerned, it can be as well used as an argument against each and every other appropriation here proposed, and in my opinion is not worthy of serious consideration.

The petitions for more generous pensions, which have been pouring in upon us, do not come from the pensioners alone. The people generally are as much interested and anxious that these old veterans, who are now tottering down the hill of life, should be well cared for in their fast declining days as are the beneficiaries themselves. I have been as often complimented for my interest in the old soldiers by those who have no direct or personal interest as by the soldiers or those related to them.

Every man, woman, and child who enjoys the freedom and opportunities over which floats the flag for which these old veterans fought is directly benefited by generous pensions. The pensioners are the disbursing agents only; the merchants and every channel of trade quickly reap the benefit of the stream of gold poured out to the four ends of our Nation every 90 days.

This can not be said of any other appropriation. I believe, if left to a popular vote of the people north, south, east, and west, there would be an overwhelming return in favor of this bill, or any other generous pension act. If our revenues will not permit it, the increased expense which this bill will create can easily be saved in reduction in many other less deserving purposes. How many of our constituents would favor the building of two or more battleships per annum while the old soldier and his dependent wife end their days in poverty and want? Not one in ten.

The distinguished gentleman from New York [Mr. PAYNE], the leader of the party soon to be in the minority here, believes that such extravagance is unwarranted, and strongly opposes the bill. While I commend him for his courage, and have no desire to speak unkindly, for he has already been grilled as but few men in public life, yet had he opposed as earnestly and forcibly the high-tariff schedules in the bill which bears his name on the common necessities of not only these old veterans but

of every other man, it would not have been necessary to ask for such substantial increases as are proposed and embodied in this bill.

The gentleman from Massachusetts [Mr. WEEKS] refers to a few soldiers who are members of the millionaires' club, and because this bill will give them a small increase in pension believes that he is justified in depriving at least 95 out of every 100 soldiers of that which they so richly deserve and sorely need. The gentleman says that if he had been permitted to offer an amendment providing "that no part of this appropriation shall be paid to any person whose annual income exceeds \$1,000," he might have supported the bill.

I agree that this amendment is a good one and would strengthen the bill. I sincerely regret that opportunity is not given for amendment and more time for debate, but because these things are denied in my opinion is poor excuse for any real friend of the old soldier to vote against this bill. I appealed to the author of the bill [Mr. SULLOWAY] to permit an amendment which I believe should be incorporated in this bill, but, for reasons I can not dispute are good, my request was denied. I should like to here read the proposed amendment, and believe that all will readily realize its merit and importance. The proposed amendment reads, to wit:

And provided further, That if any person claiming title to pension under the provisions of this act shall certify under oath his inability to prove the date of his birth, the Commissioner of Pensions shall adjudicate the claim by accepting the age given by the soldier at the time of his enlistment in said service as the correct date of birth of said soldier.

No, Mr. Speaker, nothing like failure to gratify a pet whim of mine could induce me to desert the old boys who are waiting so expectantly for us to come to their relief.

This bill does not possess the merit of service of the now famous dollar-a-day bill of my good friend and colleague, the gallant old Gen. SHERWOOD. For this reason the Sulloway bill will not be approved by a considerable number of the old veterans. It is not based on as meritorious foundation as the Sherwood bill, but some of our friends over yonder who have at last heard from home are now anxious to respond and hurry a bill through at this session. I am willing and glad to help them.

I believe, however, Mr. Speaker, that this bill is a direct outgrowth of the sentiment created by the old soldiers for the Sherwood bill, and while it has been very much mutilated, yet the old veterans wherever they may be will not fail to give their original dollar-a-day friend the great credit which is honestly and justly his due. Many Members on this side half hesitate to support this bill because, as they truthfully state, it has been brought about by political exigencies, and chide those of us who are more enthusiastic that the bill is now being urged for political redemption purposes.

It is true that heretofore it has been impossible to get a pension bill on the calendar of a general nature; why, I can not say. It may be that November 8, 1910, is still reverberating. But be that as it may, Mr. Speaker, I do not look upon this bill as a party measure. I congratulate you on your splendid defense on this floor of the Sulloway bill. You have this afternoon redeemed yourself mightily in my estimation, and I know that you regret that so many of your colleagues and the leaders on your side, as well as the few who have spoken in opposition on this side, are against the bill. As you say, "Many men of many minds," but the predominating sentiment is now, and I trust ever will be, generous recognition of those who offer their lives as a sacrifice for their country's defense.

I am proud that the last Democratic platform of my State indorsed the dollar-a-day bill and placed my party on record in favor of liberal pensions for the soldiers. That plank in the Ohio platform, in the Indiana Democratic platform, the activity of my colleagues on this side, and the chilling blasts of last November have aroused some of our good friends, if not all of them, across the way to embrace this opportunity to heed the call of not only the old veterans but the people generally.

If this bill does not pass at this session of Congress a similar bill will surely be passed by the next Congress. If the old comrades were not dying at the rate of more than 100 a day, if more than 40,000 would not be called to stack arms for final review before Congress meets again, I would not urge the passage of this bill at this time. It is not so much who gets the credit for this bill as who gets the benefit of it. I have faith that the Senate will pass the bill. I can not believe the reports printed in the newspapers that President Taft is opposed to the bill and will veto it. I commend the President for his efforts to keep down expenses. There should be more economy in every department and in every branch of our Government.

If the next Congress does not dispense with at least 25 per cent of the employees about this Capitol Building and inaugu-

rate systems of saving in the administration of our Federal affairs all over this land of ours, it will be entitled to and most surely will receive the same censure and criticism our Republican friends have had, and like them will cause our downfall.

The abolishment of 16 of the pension agencies, the permanent retirement of three-fourths of the pension examiners this bill will permit, the dismantling of much expensive and useless political machinery framed up to provide for "lame ducks" and to pay political debts, will wipe out much of the increased cost incurred by this bill.

No man or no nation ever lost money, honor, or credit by paying a just debt, and this is a just and honest debt long, long deferred.

Of the nearly half million survivors of the Mexican and Civil Wars the average age is about 70. Ten years from to-day there will be but a small handful remaining. The Commissioner of Pensions has informed the Committee on Invalid Pensions that there are 93,589 soldiers who will receive the increase from \$12 to \$15 allowed all who have reached the age of 62, 184,577 from \$12 to \$20 who are now 65, 101,778 who now receive \$15 will be entitled to \$25 for the age of 70, and 63,461 who are now 75 and past will have an increase from \$20 to \$36. These numbers will melt like snow in an August sun. Let us therefore, while we may, fly to the relief of this remnant of a once mighty and victorious army and help to make their declining days their best days. They gave to their country the best there was in them without hope or thought of future reward. We can best keep alive a love of country by generous care of those who responded to their country's call. I therefore hope the bill will pass and become a law.

Mr. HAMLIN. Mr. Speaker, I am going to vote for this bill. I am in favor of it, first, because I am a friend of the old soldier; and, second, because I believe they are entitled to this increase.

I confess that this bill does not entirely conform to my ideas. I would like to amend it so that it would apply only to the needy soldier, and not to those who already have a competency. But I recognize that the parliamentary status of this bill is such that no amendment can be offered, unless we first vote down the motion to suspend the rules and put this bill upon its passage, and this I am not willing to do now, for I feel certain if we do that it would mean that the bill could not possibly be reached on the calendar this session, but would die with the final adjournment of this Congress on the 4th of March next. Therefore I am going to vote to suspend the rules and pass the bill now in its present shape.

Objection has been raised by some gentlemen upon that side of the House that we ought not to pass this bill, for the reason that it will increase the pension appropriations about \$45,000,000 annually. I think, Mr. Speaker, this is hardly a fair statement of a fact. If all these old veterans who will be the beneficiaries under this law should live for a whole year from the date of the passage of this act, then the statement would probably not be very far wide of the mark. But we know that these old men—and we all know that no soldier can claim the benefit of this bill who has not at least reached the age of 62 years—are rapidly "crossing over the river and resting under the shade." The cruel, relentless, and ever-busy scythe of time is mowing them down at the rate of about 100 per day, which means that at the end of the first year, under this law, the names of about 36,000 of these valiant old veterans will be transferred from the pension rolls to those of the keeper of the "silent cities of the dead," and in the natural order of things their names will decrease from the pension rolls in an increasing ratio as the years go by, with the necessary result that the pension appropriation, under this law, will rapidly grow smaller.

But, Mr. Speaker, this is a cold and uncharitable way of looking at this matter. I do not like to consider it in this way. Can you measure in money the value of one drop of blood shed by these old veterans in defense of their country? Are you willing to try to say how much money an arm or a leg is worth? Are you willing to try to say how much money it is worth for a young man to be broken in health and be compelled to go through life an invalid, or what it would be worth to carry through life a wound to torment you continually and finally land you in the grave? Certainly you ought not to try to put this purely on a money basis. The debt which this Government owes to the old soldier can only be paid in gratitude, and that gratitude evidenced by a pension sufficiently large to make his declining years comfortable. Do not starve him to death. However, Mr. Speaker, if you are afraid that the appropriations may grow too large, let us cut down the innumerable unnecessary things for which we appropriate millions without any hesitation. The money which we appropriate

each year for the building of battleships will more than pay the excess appropriations necessary under this bill.

There seems to be little objection to appropriating millions each year under the pretense of being prepared for war when we are at peace with the world and this Government is in no danger from any source whatsoever. Do not you think we could cut off much of this unnecessary expense and take care of the men who saved this Government when it was in real danger?

It seems to me, Mr. Speaker, that the right way to look at this matter is that when the Government was in distress these old soldiers responded to the call of their country, went to the front, risked their lives, to save it. They did not stop to count the cost, and they did not stop to inquire what the Government would do for them afterwards. They did not stop to think whether they would live to look upon the faces of loved ones again, but they went to the front, did their duty, and to-day, as a result of that fact, we have the greatest, richest, and most powerful Government on the earth. Now, ought we to stop to count the cost when these old veterans are in need? I say no. The least we can do is to go to their rescue and try to make their last days on earth comfortable days by driving the wolf far away from their doors.

I hope this bill will pass.

Mr. DIXON of Indiana. Mr. Speaker, I ask unanimous consent that five days' additional time be granted to all Members to print remarks on this subject.

Mr. SIMS. Mr. Speaker, reserving the right to object, I want to make a slight explanation.

The SPEAKER. All this can happen—

A MEMBER. Regular order!

The SPEAKER. Regular order is demanded.

Mr. FITZGERALD. I will yield to the gentleman from Tennessee [Mr. Sims].

Mr. SIMS. Mr. Speaker, my objection to allowing Members five days to print remarks in the RECORD, whether they have made any or not, had two purposes. In the first place I think it is a bad practice, and in the second place Members can have an opportunity to speak on this bill and to offer amendments by voting down the motion to suspend the rules, as it will then have to be considered like any other bill making a public charge upon the Treasury, in the Committee of the Whole, so that every gentleman who desires to address the committee and who gets recognition can do so and offer amendments and have them considered. Now, for a bill that takes \$45,000,000 at the first dash out of the Public Treasury to be considered under suspension of the rules without any opportunity whatever to offer amendments is certainly bad legislation, is a bad way to legislate, even if the bill itself was of the greatest merit. Now, if gentlemen want to speak and want to give reasons to the country why they vote for or against this measure, why the way to do so is to vote down the motion to suspend the rules and then the bill will be considered in the ordinary way. But it has been suggested to me that some gentlemen would commit political suicide not to vote for the bill and they might commit suicide if they do and do not give their reasons in the RECORD why they so voted, and I do not want to be the occasion of forcing any man into that condition.

That is the reason why I made my objection before and the reason why I will not make it at the present time.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the time on each side be extended five minutes. Through misapprehension I gave away all the time at my disposal.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the time for debate be extended five minutes on a side. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is entitled to six minutes and the gentleman from Illinois [Mr. FULLER] is entitled to 11 minutes.

Mr. FULLER. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. SULLOWAY].

Mr. SULLOWAY. Mr. Speaker, this bill was unanimously reported from the Committee on Invalid Pensions. I can state its provisions in no better way than by quoting to the House the report adopted by the committee when the bill was reported. This report is as follows:

This bill, if enacted into law, will grant to all persons who served 90 days or over in the Civil War, or 60 days or over in the Mexican War, and who have reached the age of 62 years, a pension of \$15 per month; this is \$3 per month more than is now allowed under the act of February 6, 1907; 65 years, \$20 per month; this is a new rating. Under the existing age act, there is no rating between the ages of 62 and 70 years, and your committee thinks this is unjust to the soldier, and that in his declining years, with a majority of the veterans partially or wholly unfit to perform manual labor, there should be an increase allowed at the age of 65 years, hence the recommendation of a new rate of \$20 per month; 70 years, \$25 per month; this is an increase of \$10 per month over the existing rates; 75 years of age, \$36 per month;

being an increase of \$16 per month over the amount now allowed under the maximum rate of the age act.

Congress in the last few years has become practically a pension bureau. With old age and its attendant infirmities creeping upon the survivors of both the Civil and Mexican Wars, there is not a Member of either branch of Congress who is not besieged with hundreds of the most deserving and pitiable cases where the beneficiary is pleading for relief by special act, there being no existing law to cover these distressing cases. The pension committees of Congress, working by night and by day, have been able to bring relief to a few thousand soldiers, yet in comparison with the thousands who are still knocking at its doors for help, it is but a drop in the bucket. In this Congress alone there has been referred to the two pension committees of the House of Representatives more than 20,000 bills for private pensions. Among this vast number are thousands of blind, paralyzed, bedridden, and pain-racked soldiers, with long and honorable records, whose cases can never be reached under the present system, and who will be obliged to pass their last days in misery and want.

Your committee feels that the time has come when there should be something done to relieve the pension committees of Congress from the tremendous amount of work that confronts them; that instead of taking up the few cases that the committees can possibly consider, all soldiers should be put upon an equal footing, and in their few remaining years equal justice should be meted out to all. The so-called McCumber Act of February 6, 1907, has proven a great blessing to the soldiers, but all must admit that it has not lessened the work of Congress in dealing with private pension cases. Your committee feels that the time has come when Congress should enact general legislation that will reduce private pension legislation to a minimum; that specific rates should be allowed sufficient to care for the soldier in his old age, so that his last days may be days of peace and contentment; that a law should be passed with the rates sufficiently equitable and just that there will not be a demand or need of any general legislation along these lines for many years to come.

If anything is to be done further in the line of legislation for the soldiers, it must come soon. The services they rendered can not be measured by dollars or cents, or by any pecuniary emolument, and the least this great Nation can do is to see that they are comfortably cared for in their few remaining years. With over 100 of them dying every 24 hours, or at the rate of over 3,000 a month, the ranks are fast becoming depleted. The average age of the soldier is now between 65 and 72 years. Of the 450,000 on the rolls under the age act, nearly 300,000 are estimated to be between the ages mentioned above. These men are practically beyond the years of manual labor, and thousands of them, as every Member knows by personal contact, are practically hopeless and helpless invalids. If the veterans are to be helped at all, they should be helped sufficiently so that they will not be obliged to appeal immediately to Congress for special legislation, in order that they may secure for themselves relief sufficient to purchase the absolute necessities of life. The country can afford to give this increase to the old veterans, as it has grown wealthy and powerful on account of the services they rendered.

According to the information furnished your committee by the Commissioner of Pensions, the estimated cost of carrying out the provisions of this proposed bill is as follows:

| Ages. | Increase per month. | Number. | Annual increase. | Amount. |
|----------------|---------------------|---------|------------------|----------------|
| 62 years | \$12 to \$15 | 93,589 | \$36.00 | \$3,369,204.00 |
| 65 years | 12 to 20 | 184,577 | 96.00 | 17,719,392.00 |
| 70 years | 15 to 25 | 101,778 | 120.00 | 12,213,350.00 |
| 75 years | 20 to 36 | 63,461 | 192.00 | 12,187,512.00 |
| Total | | | | 45,489,468.00 |

While these estimates add a large sum to the present pension appropriation, yet it is necessary to do this if we are to bring the pension of the soldier to a point where Congress will be relieved of a vast amount of special pension legislation, and if an amount is given to the veteran sufficient to properly care for him, even in the plainest way, in his old age. With these facts in view, the passage of the bill is therefore recommended.

In reply to the gentleman from New York [Mr. PAYNE] and his colleague [Mr. GOULDEN] and any others who may have any misapprehension about it, I desire to submit some facts about the pension resolution adopted by the Grand Army of the Republic at their recent encampment at Atlantic City. In order that there may be no mistake about this resolution I will read the same to the House. It reads:

Resolved, That our pension committee be, and they are hereby, requested to consider, and, if possible, to procure the passage of an amendment to the age act of 1907, so as to give a rating of \$12 at 62 years of age, \$15 at 66 years of age, \$20 at 70 years of age, and \$25 at 75 years of age, and where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on the pension roll at \$30 a month, and we approve of the report of the committee on pensions, save as modified by this resolution.

Now, I have made a careful examination into the cost of this proposition as asked for by the Grand Army, and I desire to state that if enacted into law it will cost the Government a much larger sum than the bill reported by the Committee on Invalid Pensions. The most conservative estimate of the Grand Army proposition, under the present policy of the Pension Bureau, would be at least \$65,000,000. The feature of the Grand Army resolution which seems to have been overlooked is that which reads as follows:

Where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on the pension roll at \$30 per month.

Now, under the policy of the Pension Bureau it holds that when a man has reached the age of 70 years he has reached the point where he is disqualified to perform manual labor.

According to figures submitted by the Commissioner of Pensions this would immediately place on the rolls at \$30 per month 165,239 who are now 70 years old and over. Of the 400,000 others on the rolls, there are more than 125,000 who would come under the provisions in regard to performing manual labor by making proof of their disabilities. This would bring the cost far beyond that of the bill before the House to-day.

The Commissioner of Pensions estimates that the cost of carrying out the age proposition alone of the Grand Army resolution would be \$15,000,000, without reference to the inability to perform labor, no estimate being made by him on this latter proposition.

There is another thing I would like to call attention to. There are a few gentlemen who are opposing this bill who are assuming that it will immediately take out of the Treasury \$45,000,000. This is either a misrepresentation or a misapprehension, and is wrong and misleading. To do this every man eligible on the roll July 30, 1910, would have to apply—there could be no deaths, and every case would have to be adjudicated in one fiscal year. The estimate made by the committee was on the basis of all soldiers on the roll who are eligible being pensioned during one fiscal year, and in this, figuring the death rate of over 3,000 a month since the closing of the fiscal year June 30, 1910, was not taken into consideration. Now, before this law can be enacted and a single case adjudicated there will be over 30,000 less soldiers on the roll by death alone than there were June 30, 1910. When the so-called McCumber Act was passed, according to information furnished by the Commissioner of Pensions, there were 400,000 applications filed during the first year of its operation. By the most heroic efforts of that bureau, in the adjudication of claims, they were able to dispose of 241,000, or only about 60 per cent of those filed, the first year. Taking that as a basis, the amount of appropriation called for by the bill the committee presents to-day would not take over \$27,000,000 during the first year of its operation, and probably not that amount, for the deaths that would occur between now and the end of the first fiscal year of its operation would amount to approximately 75,000 to 80,000. As a great per cent of these deaths naturally take place among the older soldiers, where the increase granted by your committee is the largest, it can readily be seen this would make a very material reduction in the estimated cost of this proposition. I think the estimate of \$27,000,000 for the fiscal year ending June 30, 1912, is more than ample to meet all demands that will be made on the Pension Bureau for that period, and that this sum will more than take care of the cases it will be able to adjudicate in the first 12 months.

There are a few gentlemen who have stated they think the committee has gone too far in this proposition. We men who have served for years on the Committee on Invalid Pensions have had a better chance to judge and view the situation a little more closely than the average Member. I do not think that there is a man on the committee but that feels, if anything is done at all, enough should be done to see that the old veteran in his few remaining years should be at least comfortably cared for. Your committee, working by night and by day, has taken care of a few thousand cases, but there are seven times as many equally deserving cases, which lack of time prevents considering, which will still be pending when this Congress expires on the 4th day of March next. At the best, we can only take care of a few here and there—perhaps a dozen or less in a great congressional district.

Nearly half a century has elapsed since that great and awful conflict closed. The soldiers are growing old, infirm, and helpless. The almost overwhelming majority of them are poor. Countless thousands of them gave up the best years of their lives and sacrificed their health upon their country's altar. The history of the United States shows that its citizen soldiery has always been its bulwark in its time of need, and it never failed to heartily respond when called upon. What has been paid in pensions we have saved by not maintaining an immense standing army. Men have gone forth to do and die, knowing and believing that those they left behind would be cared for if they did not come back, and those survivors, broken in health, suffering and poor, received the same assurances.

We are not here to-day to figure this matter as one of dollars and cents. I do not stand here and advocate the passage of this bill as a commercial proposition. I have taken some pains to figure out what the cost will be, but that feature pales into insignificance when I stop for a moment to realize what these veterans did and what they have made possible. It is to them we owe everything we have and enjoy. Had not their efforts been ultimately crowned with success no one on either side of this Chamber dares to predict what the outcome would have been.

We know to-day through their efforts that we have the greatest country on the face of the earth, with a wealth as great as any two other nations combined, with a united and a happy people, with no North, no South, no East, no West, but one country and one people. What we owe the old soldier can never be repaid by any pecuniary emolument. His services gave us the most hallowed pages of American history. We should endeavor to make our services to him just as noble. Let us rise above pecuniary sentiments; it has no more place here to-day than it had in the days of the Revolution or the days of the Civil War. They had their duty then, and we have ours now; it is to take care of those surviving heroes of our recent wars, and to see that they have the necessities of life in their few remaining years. Our Treasury is not empty, and we are imposing no burden on posterity.

This will probably be the last general pension legislation that will ever be asked for by the soldiers as a body should it become a law. It will be sufficient to bring them some of the comforts and cheer in their last days. The amount scattered among the great number of survivors is none too large. I favor this measure as a matter of justice and honor, and I feel sure it will receive the overwhelming indorsement of this House.

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. ANDERSON].

[Mr. ANDERSON addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, in advocating the passage of the bill now before the House I do not wish to be classed with those who think the Government has not hitherto been generous in the treatment of its veteran soldiers; to the contrary, I recognize that it has been liberal to a degree unequalled by any other nation. At the same time it may be said with truth that the magnitude of the army of volunteers that fought for the preservation of the Union, the circumstances under which that army was brought into existence, the length and character of service rendered, and the abiding and beneficent results achieved have no parallel.

Objection is made to the bill because under its provisions some will draw liberal pensions who do not deserve them. I concede that the allegation is true, and if it were possible to exclude the habitual skulker from battle, to eliminate those who by studied device endeavored to escape duty, and deny to those who, because of short terms or for other reasons, never rendered any appreciable service, every true soldier would readily assent. That there was a per cent of the whole in each and all of these classes no soldier of experience will deny, but efforts to successfully discriminate against them have thus far in large part failed, and each added year of removal from the war period but makes the task more difficult. On the other hand, it would be unjust, if not cruel, to make the worthy soldier, who did his duty faithfully, suffer because of the unworthy.

Again, it is alleged as an objection to the passage of the bill that under its provisions many will draw relatively large pensions who do not need them. It is hinted that even millionaires are among the pensioners. Sir, if by industry and frugality or by fortunate investments a veteran has succeeded since the war in accumulating a competency or even large wealth, that in and of itself should be no bar to his receiving from the Government that to which he is justly entitled for services rendered as a soldier. Otherwise a premium would be placed on idleness and improvidence. The pension roll should never be looked upon as a pauper roll nor the pensioners as a roll of paupers, but rather what it is in fact, a roll of honor for services rendered and certified to by authentic records in the archives of the Government. I know a millionaire soldier of excellent military record who so looked upon it and for that reason sought and received a pension, though he never used a dollar of it for his own personal benefit. I know a number of pensioners each of whom lost an arm or a leg in battle, and who would suffer no want if they never received any pension money; but who would say that they are not justly entitled to that which they receive?

Again, objection to the passage of the bill is made because there is no discrimination on account of length of service rendered. Under its provisions the man who served 90 days is put on an exact equality with the man who served four or more years. The law now on the statute books provides that

they who entered the service at the "eleventh hour" receive quite as much as those who "bore the heat and burden of the day." I grant that it does not seem right nor just to give to the man who went into the Army in 1861 and came out in 1865 no more than the man who entered in the spring of 1865 and served to the end of the war, receiving, as many did, a large bounty as an inducement, and in many cases never rendering any service of real value to the Government. On the other hand it may be said, with equal truth, that in the closing year of the war there were many men who saw more battle service and who took more risks of life or limb in six months, or even in 90 days, than thousands of men who enlisted earlier and served two years or even more. Here, again, it is impossible to sift out the men who are most deserving and recognize and pension them on their real merits, or to segregate the undeserving and withhold from them that to which they are not justly entitled.

It has been strongly intimated that this bill provides more liberal pensions than the needs of the veterans require. It would be easy, as the gentleman from Massachusetts suggested, to get together a picket post of millionaires from among the surviving veterans; it would be easy to assemble from among them a considerable number of rich men and a still larger number who are in no need of a pension; but when the subtractions have all been made it will still remain that the great mass of the veterans are men of moderate means and are dependent in their declining years, in part or wholly, upon the pension allowance. In this respect the Civil War soldiers are not different from the survivors of any previous war, after a corresponding period. The same claim was made for the Revolutionary soldiers with great force and effectiveness, for the soldiers of the War of 1812 and 1814, and of the Mexican War. Familiarity with actual conditions will convince any fair-minded man that the great mass of the soldiers of the Rebellion period are not getting more than they actually need.

Great as the aggregate now is, and augmented as it will be by this bill, I assert that it is not more than the service rendered and the results obtained justify. When we put over against the sum paid for pensions the hardships endured, the battles fought, the wounds received, the consequent suffering endured, the broken health from privations gone through, and the consequent wrecking of careers that might otherwise have been successful, it is difficult to estimate and still more difficult to pay the debt in dollars and cents. While large numbers survived the perils of battle, the list of the killed and wounded tells of the risks taken by those who passed through unhurt. So great is this risk that I say to you, with an abiding recollection of Shiloh, of Stone River, of Chickamauga, and Missionary Ridge, with my wife and children in mind, with the remnant of life and its possibilities still before me, I would not for mere hire go into one great battle and take the chances therein for a pile of gold as high as the Dome of this Capitol, and I doubt if any other man would who knows by experience the dangers in so doing to which he would be subjected. Yet for love of country, for the maintenance of the right, as the soldier is led to see the right, for the upholding of some great principle involved, the true soldier counts not his life dear unto himself, but again and again accepts the gage of battle until he conquers or dies in the attempt. This is just what many thousands of semidependent yet most worthy citizens among the surviving veterans did in the war that preserved us a nation.

It is claimed by some that the Government is not able to pay these large sums as pensions. When the Civil War opened the population of all the States in the Union was, in round numbers, 31,000,000. The assessed valuation of all property, real and personal, was then \$16,000,000,000. Now the population exceeds 90,000,000 and the wealth is estimated at \$125,000,000,000. The present income of the Government is equal to all current demands, with the prospect of a considerable surplus at the end of the fiscal year. If the sum estimated in the bill, or even that now carried upon the statute books, were to be a perpetual charge against the revenues, Members might well hesitate to impose it upon the Government. This bill, if it becomes a law, will undoubtedly carry pensions to the maximum figure of expense, but in the very course of nature it will be but temporary.

Already 75 out of every 100 men who made up the Federal Army during the Civil War are in their graves. Time and death are depleting the ranks of the survivors more rapidly than did battles and disease and prisons in the days of the war. What remains of that once mighty host is rapidly vanishing away. The places that know them now will soon know them no more forever. Great as the amount is, for the brief time that remains to them, the Government can afford to pay it to the men who redeemed and preserved it.

Fifty years ago the ill-omened prophets on both sides the seas proclaimed with one accord that the American Republic was "doomed;" that against the experiment of self-government, tried under the most favorable conditions, there must be written the word "failure;" even while the figure of him who had already passed from the cabin of the lowly poor to the Executive Mansion of a nation was slowly but surely ascending to the zenith of world-wide and enduring fame as the emancipator of a race and the perpetuator of a Nation there were those who declared that only under kings and queens born of the blood royal could government long endure. Those who prophesied thus and declared thus had not reckoned upon the patriotic spirit, the reserve power, and determined purpose of the common people of the Republic.

Fifty years ago Lincoln began calling upon the young men to volunteer for the defense of the Nation, and ceased not until more than 2,200,000 had responded, "Here am I; send me." During those perilous years every country schoolhouse, every public hall, and every church in the loyal portions of our country rang with patriotic songs and echoed fervent appeals to go forth and defend the Nation's life. Then there was no price the people were not willing to pay in treasure and in blood. It is written "All that a man hath will he give for his life," and yet even this supreme sacrifice the people counted not dear unto themselves while the Nation's life hung doubtful in the balance.

When, 50 years ago, the hilltops that girdle this city frowned with batteries of artillery and glistened with rifles and bayonets in the hands of brave men who were set to the task of defending the Capital, the Congress did not hesitate to pour out from the Treasury every dollar deemed necessary to keep the flag from being lowered into the hands of the enemy. Fifty years ago, when the battle line extended from the Atlantic a thousand miles to the westward, on either side of which were ranged the sons of a common country in the death grapple to settle great questions where Congresses and courts and Cabinets and Presidents had failed, when again and again the awful shock of battle filled the Nation with sorrow and the world with horror, when not only the hospitals and churches of Washington but even this legislative Chamber were filled with the wounded from the adjacent battlefields, the Congress did not then hesitate to exhaust the Nation's revenues nor mortgage the Nation's future nor pledge the Nation's sacred honor to save the Republic. Through all the war there were heard midst the lamentations for the dead praise for the heroic living and promises of beneficent care to those who should survive. The solemn pledge of the people to her volunteer soldiery was made by their then representatives in Congress. While unconsciously standing in the shadow of his impending death, Lincoln's last appeal to the Congress was to "care for him who shall have borne the battle and for his widow and his orphan." How well that pledge and that appeal have been heeded the records abundantly show. It is a record that will stir the Nation's pride and patriotism in the troublous times that may yet come.

Generous as the Government has hitherto been, may not the Congress commemorate the rounding out of the first full half century since the great struggle for national existence began by imitating the Congress that 50 years after the Revolution greatly liberalized the pensions of all the soldiers, officers and men, who fought under Warren and Washington and Lafayette from Bunker Hill to Yorktown?

[Mr. RUCKER of Missouri addressed the House. See Appendix.]

Mr. SULZER. Mr. Speaker, this bill should become a law. It grants to all persons who served 90 days or over in the Civil War, or 60 days or over in the Mexican War, and who have reached the age of 62 years, a pension of \$15 per month. This is \$3 per month more than now allowed under the act of February 6, 1907. At the age of 65 years, \$20 per month; this is a new rating. Under the existing age act there is no rating between the ages of 62 and 70 years, and many think this is unjust to the soldier, and that in his declining years, with a majority of the veterans partially or wholly unfit to perform manual labor, there should be an increase allowed at the age of 65 years; hence the new rate of \$20 per month. At the age of 70 years, \$25 per month; this is an increase of \$10 per month over the existing rates. At the age of 75 years, \$36 per month, being an increase of \$16 per month over the amount now allowed.

It is well known that Congress in the last few years has become practically a pension bureau. With old age and its attendant infirmities creeping upon the survivors of both the Civil and Mexican Wars, there is not a Member of either branch of Congress who is not besieged with hundreds of the most deserving and pitiable cases where the beneficiary is plead-

ing for relief by special act, there being no existing law to cover these distressing cases.

The pension committees of Congress, working night and day, have been able to bring relief to a few thousand soldiers, yet in comparison with the thousands who are still knocking at its doors for help, it is but a drop in the bucket. In this Congress alone there has been referred to the two pension committees of the House of Representatives more than 20,000 bills for private pensions. Among this vast number are thousands of blind, paralyzed, bedridden, and pain-racked soldiers, with long and honorable records, whose cases can never be reached under the present system, and who will be obliged to pass their last days in misery and want.

Under the circumstances I am convinced that the time has come when there should be something done to relieve the pension committees of Congress from the tremendous amount of work that confronts them; that instead of taking up the few cases that the committees can possibly consider, all soldiers should be put upon an equal footing, and in their few remaining years on earth equal justice should be meted out to all, and private pension legislation reduced to a minimum; that specific rates should be allowed sufficient to care for the soldier in his old age, so that his last days may be spent in peace and contentment; and that a law should be passed with the rates sufficiently equitable to make it unnecessary for further general legislation along these lines for years to come, if ever again.

The soldiers for the Union are rapidly passing away. In a few years they will all be gone to their everlasting reward. With over 100 of them dying every 24 hours, or at the rate of over 3,000 a month, the ranks are fast becoming depleted. The average age of the Union soldier is now between 65 and 72 years. Of the 450,000 on the rolls under the age act, nearly 300,000 are estimated to be between these ages. They are beyond the years of manual labor, and thousands of them, as every Member knows, are helpless invalids. If the veterans are to be helped at all, they should be helped now, so that they will not be obliged to appeal to Congress for special legislation in order that they may secure for themselves relief sufficient to purchase the necessities of life.

Mr. Speaker, let me say again what I have often said before, that I am now, ever have been, and always expect to be the friend of the men who saved our country in the greatest hour of its peril. We owe them a debt we can never pay. They are entitled to our everlasting gratitude, and gratitude is the fairest flower that sheds its perfume in the human heart. Let us be grateful lest we forget. My sympathy will always be with the heroic men who went to the front in the greatest crisis in all our marvelous history.

This is a just bill. I want to do justice to the soldiers who saved the Union, and I want to reward them while they live. Nobody here can ever say, and nobody outside of these halls will ever be able to say, that during the 16 years I have been a Member of this House I ever voted against a just bill in the interests of the soldiers and sailors who saved the Union. This is a rich country; this is the land of liberty; this is the grand Republic; and it is all so, to a large extent, on account of what the gallant men who marched from the North did in the great struggle for the Union.

There is no gift in the Republic too great for the men who saved the Republic. We should be grateful to the brave soldiers who fought that great war to a successful end. I can not bring my ideas in favor of this bill down to the level of mere dollars and cents. I place my vote for it on higher ground. I want this bill to pass for patriotism—the noblest sentiment that animates the soul of man.

Mr. CLINE. Mr. Speaker, I desire to discuss, very briefly, the provisions of the pending bill. The bill is not here in response to the petitions of veterans of the Civil War; it is a danger signal hoisted by a few leaders of the Republican Party, that six months ago were violently opposed to any sort of general pension legislation. The bill comes as a complete surprise to the membership of the House. The Republican gentlemen who do things got a jolt in the November election, and by it learned that the old soldiers refused to continue to be a permanent asset of the Republican Party, regardless of the treatment he received and so expressed himself at the polls, especially in Ohio, Indiana, and Illinois.

I said the bill is not here at the instance of the Grand Army of the Republic, because no post or soldier organization has appealed to Congress for a law expressed in the terms written in this bill. No post or soldier organization has asked for a bill providing a rate of \$36 per month for soldiers at 75 years of age, nor for a rate of \$20 per month at 65 years of age. The \$36 rate per month is deceptive, because it is assumed the soldier will be contented with \$25 a month at 70 years of age in-

stead of \$30 at 70 years of age—the amount he has been asking for, hoping that he may reach 75 years of age and enjoy the extreme rate of \$36 per month.

Very few soldiers who went into the service at the beginning of the war will be benefited by the \$36 rate. Those who will have the benefit of this higher rate are largely the soldiers who enlisted at the close of the war and who have the advantage of about four years in age over the early volunteer. The roll of men who will be entitled to the \$36 rate will diminish much more rapidly than the 70-year class, so that by postponing the \$36 rate to such an advanced age and cutting the 70-year rate to \$25 per month, the Government will economize on its pension funds. A pension law should come as an expression of real patriotism, shorn of every selfish motive, and burdened only with a desire to give the soldier who risked all to save his country in time of its utmost peril that to which a grateful people believe him entitled to. This bill was not introduced because of sound patriotic devotion to the soldiers' interest, but as a mere party expediency to save it from defeat in 1912. This same party knowing that the veterans had been knocking at the door of Congress for years, with the dollar-a-day bill, and had received no response, after the rebuke administered to that party in the November election for its total disregard of its appeal, suddenly "warmed up" with patriotism for the veteran of 1861-1865.

I support this bill because it is the best that can now be passed. If I were permitted to amend the bill, I would cut out both the \$15 per month rate for 65 years of age and the \$36 per month rate at 75 years of age and make a rate of \$25 per month at 65 years of age and \$30 per month at the age of 70. I believe it would cost less money and be more beneficial to the soldier class as a whole. Objection is made to the bill because it will be a heavy drain on the National Treasury. When the great war of 1861-1865 broke out, that threatened the disruption of the Government, the Congress of the United States voted money by the hundreds of millions to suppress rebellion, with no thought of whether it was a drain on the Treasury or not. The volunteer soldier of the United States came by hundreds of thousands at the country's call without questioning whether they could afford to enlist or whether it was a good business proposition. All these considerations were lost in that abundant patriotism that like a rising tide swept into the Army more than two and a half millions of men. Their sole and only thought was, not the cost of the war, but the preservation of the Republic—not a depleted Treasury, but a united people.

Now, after nearly 50 years, when the Nation has grown from 15 billions of property to over 125 billions of property; from a small inland commerce to one greater than all the inland commerce of all Europe combined, we halt and hesitate and inquire for the cost of pensioning the scattered remnants of the legions who fought the greatest civil war in history; with less than 500,000 representing between two and three millions, who cast their lives and fortunes into the Nation's crucible of war and these answering the last call at the rate of more than 50,000 a year.

Why should this country, so abundant in resources, so rich in all that makes a nation great, hesitate to make the veteran who laid the foundation for this greatness comfortable in his declining days? I vote for this bill to relieve the veterans of the embarrassment of coming to Congress for special relief, and from the humiliation he must undergo in making such application. I vote for it because I do not want the hundreds and thousands of old soldiers, some blind, some paralytic, some so decrepit, both physically and mentally, as to require the assistance of another person, to come empty handed to a great government asking for charity. I vote for the bill because the policy of this Government always has been, and I hope always will be, to rely upon the voluntary soldier for its protection and not upon a great standing army that continuously eats out the substance of the people; because I believe a grateful Republic will always discharge its highest duty in caring for its aged volunteer soldiery if it becomes poor and needy, and for his widows and orphans; because I want to teach the youth of this country the lesson of grateful appreciation, the lesson of highest devotion, of richest patriotism.

Mr. FITZGERALD. I yield to the gentleman from New Jersey.

Mr. HUGHES of New Jersey. Mr. Speaker, I hope I can say that I have always been friendly to the men who fought the great battles of the Republic; and while I am not in the habit of saying much about my own military record, because there was nothing particularly distinguished about it, except that during the Spanish-American War I consumed as much bad beef as any other man in the American forces, still, I was a soldier once myself, and will go as far as any man ought to go

in the matter of appropriating money for this purpose. Yet I want to say this, here and now, though I realize the effect of my vote upon this question, that \$50,000,000 a year is too big a price for the country to pay to bring me back to Congress. [Laughter and applause.]

Mr. FITZGERALD. Mr. Speaker, I intend to consume all the remainder of the time on this side. Has the gentleman from Illinois any more than one speaker?

Mr. FULLER. I yield to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, gentlemen oppose the passage of this bill because it will increase the annual appropriation for pensions some millions of dollars. When the life of the Republic was in danger and needed soldiers to save it, the men who made up the greatest volunteer army in the world's history did not count the cost. They sacrificed all the sacred relationships of home—mother, wife, sister, and sweetheart—they gave up all private business, and left the farm, the shop, the factory, the business house; they abandoned schools, colleges, and professions; they gave health and limb and life; they saved our country, at all this cost to them. Let it not be said of us to-day that we count the cost of their comfort in their old age to the country they served so well. [Applause.]

Mr. FULLER. I yield to the gentleman from Wisconsin.

Mr. CARY. Mr. Speaker, this is the time for all of us who would give to the old soldier all that he needs when he is needy and deserving. We should give it to him. Therefore, I shall vote for this bill because I think it is in the right direction. I favor the dollar-a-day bill perhaps a little more than I do this one. And I believe we will have fewer special pension bills, and it will be cheaper to the Government in the end by the passage of this bill.

It appears to me that it is now high time that we do something for the old soldier. Very few of us can really appreciate what he has done for the Nation—when the crisis of antagonism for many years came to a climax in the great Civil War—how he, pervaded with the American spirit of freedom, volunteered to go forth on the battle field to offer his life to the country; not alone his life, but the happiness of his dearest ones and his friends, should his life be sacrificed. If we could but take ourselves back into the days of 1861 to 1865 and picture the scenes of hardship, the horrors of bloody conflict, and the terrible sacrifices of his wife and family at home when he was on the field of battle fighting to preserve the Nation! Think of the number who never returned to their respective domiciles; think of those who for months lingered between life and death in the hundreds of hospitals throughout the land; think of the many who were brought back maimed and crippled for life through the loss of a leg or an arm; think of those whose physique could not withstand the trials of the war and who returned unfit for any occupation, due to the ravages of disease; think of those who suffered the torture of imprisonment in Libby and other prisons. We, who were not present to know of the conditions, can not comprehend them. Thousands of accounts have been written which interest us, describing the incidents of the war, but even these vivid descriptions can not make an impression on us such as would actual participation in the conflict. So, I say, let us give the old boys their just dues for their services.

Let us see what Congress has done for the old soldier. First we had what is known as the "general law." This provided for the payment of a pension to an enlisted soldier, regardless of the length of his service, but only for wounds, disabilities, or diseases incurred in the line of duty.

The Pension Bureau has adopted certain rules by which it is guided in weighing the evidence and determining the merits of these claims. This law was undoubtedly adequate for a while. But in construing the section that the alleged wounds, disabilities, or diseases were incurred in the line of duty, the Pension Bureau is very strict, and conclusive evidence is required. The decisions are based largely on the medical records of the War Department. So if a claimant did not have a medical record, he was obliged to go to a great deal of trouble and expense in securing evidence from his comrades as to the incurrence of his alleged injury or disease. Often his comrades, with whom he associated intimately, were killed, had died, or removed to another locality. In many such cases he was denied relief, because he could not get the required proof. It is conceded that the Army medical records of the Civil War were not complete. Many were destroyed in battle, lost, or stolen. So an enlisted man was often denied his just dues. Similarly, many of the soldiers upon returning home associated again with their families, who were of the middle or better class, and they did not then need a pension, although they were entitled to it under the law. So they did not prosecute their claim at once, and in the course of years, when their financial condition possibly may

have grown worse or their physical condition was impaired from the service in the Army to such an extent as to render them unfit for manual labor, then when they did attempt to get a pension under the general law they could not prove their claim at such a late date, and their claims were consequently rejected. While this general law was very liberal in one sense—that seriously injured or disabled men received liberal amounts and was granted pension according to the degree of their disabilities—yet in another sense, before many years, it was seen that it was not adequate to meet the demands, because so many who were entitled to a pension had been deprived of it either by misfortune of not knowing the law, or neglecting to enter their claim immediately, or being unable to prove it sufficiently.

The act of June 27, 1890, was the next act of primary importance passed by Congress, which was done to meet some of these conditions which I have just stated. It provided that a soldier who has served at least 90 days, and who shall have any disabilities, diseases, or wounds of a ratable degree, shall be pensioned according to the degree of his disabilities, diseases, or wounds, the maximum rate being \$12 per month. This immediately was a great relief to thousands and thousands of soldiers who sought its benefits. Many are to-day pensioners under it, because it eliminated the necessity of proving that the disabilities were of service origin—that almost insurmountable difficulty under the general law where a claim had been neglected.

This act sufficed for some time, but now it became apparent that death was thinning the ranks of the old boys. Many of them were growing feeble, and on account of their age ought to have received more than \$12, to which they were entitled under the act of June 27, 1890.

So Congress passed the act of February 6, 1907, which was met with great favor. It granted \$12 per month at the age of 62 years, \$15 per month at 70 years, and \$20 per month when the age of 75 had been attained.

Other bills were passed besides the ones mentioned already, granting relief to widows and orphans.

Now, after a lapse of almost four years, during which a marked decrease in the number of old soldiers has been more apparent than ever, it behooves us that we consider this matter, which is not one so much of dollars and cents as it is of justice to those who made it possible to have the great country we have to-day. Let us look at the bill we have before us. It provides that any soldier of the Mexican or Civil War who has served 90 days or more, who shall have reached the age of 62 years, shall receive \$15 per month; 65 years, \$20 per month; 70 years, \$25 per month; 75 years and over, \$36 per month.

The old soldiers are crying for additional relief. While I think that probably the dollar-a-day bill would meet with more favor among them, yet I believe that this is a stride toward further relief for the old boys, and should be passed at this time. The Northwestern Branch of the National Home for Disabled Volunteer Soldiers is located in my district, and has 2,200 members. I can safely say that I have 3,500 old soldiers in my constituency. I have handled many of their claims before the Pension Bureau, and receive on the average no less than 10 cases every day for attention. Not that I feel in the least that I do not wish to be burdened with these matters, but with the feeling that additional relief is necessary, am I giving this measure my support. I have spent many hours in the soldiers' homes talking to the old boys, and helping them in their claims, because many being hopelessly disabled, are not able to provide for themselves sufficiently out of their meager pension for "extras" they need, and out of the balance, for there usually is none, to provide for getting the proper evidence necessary. In some exceptionally worthy cases I have succeeded in having Congress pass a special act, and I have always assured the old boys that I, as an American citizen, would be loyal to them when they needed a friend in Washington, and I believe that the people of my district are unanimously in accord with these sentiments, that we should pay these soldiers a slight remuneration now when they are old and needy, for the great service and the brave work they rendered for our country's sake.

Mr. FULLER. I have only one more speech.

Mr. FITZGERALD. Mr. Speaker, this country has been generous to the old soldier. It has spent \$3,400,000,000 in pensions, and that does not include the sums spent for various other purposes for their relief. I favor liberal treatment of the old soldier, but I do not favor such liberal treatment at the expense of the people of the United States as will result in injustice, and I shall not therefore vote for a bill which proposes to expend annually the amount proposed here regardless of the merits of those who are to be the beneficiaries.

The gentleman from New Hampshire [Mr. SULLOWAY] says that this bill will not add \$45,000,000 annually to the burdens

on the people; but, Mr. Speaker, that is the statement contained in the report from the committee over which the gentleman presides, and presented to this House for its information.

Just fresh from an election at which the people have revolted at the increasing burdens of the Government and the excessive cost of living, the reply of this House is not measures tending to relieve from some of the burdens of government, but to add to them by an indiscriminate distribution of \$45,000,000 annually.

Mr. Speaker, in 1908, 31 per cent of the revenues of the Government were expended in pensions and for national cemeteries, soldiers' homes, and other beneficial aids to the old soldier. The time has arrived, in my opinion, when the men of the South are no longer justified in sitting silent when legislation of this character is pressed before the House, because of a patriotic desire not to appear as sectional or biased against Union soldiers, lest their motives be misjudged, and thus not interfere with legislation of this character, but to express their honest opinion of such legislation. Men speak of generosity to the old soldier. I speak for them. I shall favor any fair, just bill which will give relief to the men who are helpless, the men who are incompetent, the men who rendered effective service to the Government and who are in distress or need; but I will not vote for bills distributing money indiscriminately upon the deserving and the undeserving.

It is not three years, Mr. Speaker, since I visited the Pension Office, when one of the higher officials of that office pointed with pride to a certificate of pension hanging upon the walls of the office, which secured a pension to his father. His father had but recently died and left an estate valued at more than \$2,000,000, and if he were living to-day the action of this House would be to increase the pension which he would now be receiving. I not only saw that certificate hanging on the wall, but this very official himself, under the plea that it would make his military record secure, was also a pensioner.

What a farce is legislation which permits such a condition. How long shall we permit it to continue? How long will men here vote for bills of this character without opportunity for discussion, without opportunity for amendment? This bill under the rules is privileged and could have been called up any day, considered in the Committee of the Whole House on the state of the Union, and Members given an opportunity to present amendments which would do justice to the deserving and which would eliminate all possibility of abuse.

I should prefer, Mr. Speaker, to spend my remaining days not only in private life, but in humble retirement, rather than to vote for such a bill as this in the hope that it might make easier my path in public life; and I hope this House will have the good sense to resist this attempt to coerce it by pleas of generosity, by fervid appeals in behalf of the men who have rendered heroic service, and who have been treated fairly and generously by the people.

This plea may not fall upon the ears of those who are willing to heed it, but I believe that a day of reckoning will come when the people will insist that, not for the benefit of special classes, but with an eye to the welfare of the entire people, shall legislation in this House be enacted. [Applause.]

[Mr. OLMSTED at this point took the chair as Speaker pro tempore.]

Mr. FULLER. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, my vote upon this bill will be cast, not from the standpoint of personal popularity, but from the standpoint of a wise policy and of simple justice. [Applause.] You can not have your cake and eat it, too. The law authorizes 100,000 men in the Regular Army. We have 80,000, and there is no power in my judgment that could make Congress increase that Regular Army by 20,000 more. Yet we have 90,000,000 of people. It has always been the policy of this Government to rely upon the great citizenship of the country for the public defense. It is not a cheap service. In that great struggle, the like of which the world never saw before, at least not in any civilized country, there were 2,200,000 men in the Union Army, or, counting reenlistments, 2,800,000. It was a fierce struggle. Along the borderland and in the southland it was said that they took from the cradle and the grave, the men of the South fighting valiantly, mistaken as they were, for what they conceived to be their rights. Oh, it is easy, as these men go under the ground and a new generation comes, especially in our great cities where there is a large population, by far the greater number of whom had no personal experience with that war, and where the voice of the Union soldier is not apt to be heard—it is easy to talk about the great cost of pensions. Yes; it is a great cost; but that great struggle, thank God, put all just contention between the North and South at rest, and you as well as we thank God at the great result. [Applause.] Since that great contest the wealth of the United States has increased

from \$16,000,000,000 when Lincoln took the oath of office, after we have borne all expenditures, to \$125,000,000,000. I do not believe that the Representatives of the great citizenship of this country, North or South, will be criticized or can be justly criticized for this legislation. Let me read you an extract from President Taft's annual message:

The uniform policy of the Government in the matter of granting pensions to those gallant and devoted men who fought to save the life of the Nation in the perilous days of the great Civil War has always been of the most liberal character. Those men are now rapidly passing away. The best obtainable official statistics show that they are dying at the rate of something over 3,000 a month, and, in view of their advancing years, this rate must inevitably, in proportion, rapidly increase. To the man who risked everything on the field of battle to save the Nation in the hour of its direst need we owe a debt which has not been and should not be computed in a begrudging or parsimonious spirit. * * * The true spirit of the pension laws is to be found in the noble sentiments expressed by Mr. Lincoln in his last inaugural address, wherein, in speaking of the Nation's duty to its soldiers when the struggle should be over, he said we should "care for him who shall have borne the battle and for his widow and orphans."

[Applause.]

Four hundred and fifty thousand of this twenty-two hundred thousand still live, old—from 62 up to 100—most of them decrepit. Oh, yes; somebody in the United States Steel Corporation that has got ten millions or twenty millions would be a beneficiary. I know not whether such would take the pension or not, but the same argument would keep an officer of the Regular Army off the retired list. [Applause.] We do not measure the merits of legislation in that way. Legislation must be general, and in the affairs of this world it is impossible to enact any legislation that will not have an exception when you come to enforce it. You never would enact a law or make an appropriation of any kind if the argument of my friend and colleague the Representative from Massachusetts was to be forceful. [Applause.]

Already this year, after we have paid the expenses of this great Republic from the revenue laws of this country in the first six months, we have \$30,000,000 surplus, and it is fair to say that on the 1st day of July next that \$30,000,000 will be doubled to \$60,000,000. I quite agree with the statement of the gentleman from New Hampshire, the chairman of the Committee on Invalid Pensions [Mr. SULLOWAY], that the calculation of the cost of this legislation is entirely too high; that it is on the largest possible basis; that if every man would be a beneficiary under it and every man would live to the end of the coming fiscal year, 12 months from now, it would be \$45,000,000. But cases can not be disposed of so as to give the maximum, and 36,000 men will have crossed over to answer to the great roll call on the other side, and that of itself would be \$3,600,000 to be deducted, in round numbers.

I shall vote for this bill. [Applause.] Many men of many minds. I vote for it because I come from that Middle West, a small city where people know each other, the home of the Union soldier, the home of the citizen soldier; the patriotism which prompts men to respond to the call for service of a great Republic is there most abounding.

In the great centers of population you would have difficulty in finding many people that know about the services of these men from recollection or from history. We are able to pay this amount.

I say, in conclusion, from the standpoint of justice, aye, more, from the standpoint of patriotism, aye, more, from the selfish standpoint that in other great emergencies the citizen soldier shall be assured that when he is stricken by disease, weakened by age, hobbling along, he shall be remembered by the Government that would have died if it had not been for his and their services. [Applause.] I say it is a wise policy even from the selfish standpoint. [Applause.]

Mr. CULLOP. Mr. Speaker, I desire to make a motion in reference to this bill.

The SPEAKER pro tempore. A motion is not in order. This is a motion to suspend the rules and pass the bill, and therefore no motion is in order.

Mr. WEEKS. Mr. Speaker, I ask unanimous consent to offer an amendment.

Mr. FULLER. I object; regular order.

The SPEAKER pro tempore. The regular order is demanded and objection is heard. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 212, noes 62.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

EXTENDING REMARKS.

Mr. FULLER. Mr. Speaker, I now ask unanimous consent that every Member may have leave to extend remarks upon this bill in the RECORD for five legislative days.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that Members may have five legislative days to extend remarks in the RECORD upon the bill just passed. Is there objection?

There was no objection.

MARINE SCHOOLS.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 24145) for the establishment of marine schools, and for other purposes, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy, to promote nautical education, is hereby authorized and empowered to furnish, upon the application in writing of the governor of a State, a suitable vessel of the Navy, with all her apparel, charts, books, and instruments of navigation, provided the same can be spared without detriment to the naval service, to be used for the benefit of any nautical school, or school or college having a nautical branch, established at each of the following ports of the United States: Boston, Philadelphia, New York, Seattle, and San Francisco, upon the condition that there shall be maintained at such port a school or branch of a school for the instruction of youths in navigation, steamship-marine engineering, and all matters pertaining to the proper construction, equipment, and sailing of vessels or any particular branch thereof.

SEC. 2. That a sum not exceeding the amount annually appropriated by any State or municipality for the purpose of maintaining such a marine school or schools or the nautical branch thereof is hereby authorized to be appropriated for the purpose of aiding in the maintenance and support of such school or schools.

SEC. 3. That the President of the United States is hereby authorized, when in his opinion the same can be done without detriment to the public service, to detail proper officers of the Navy as superintendents of or instructors in such schools: *Provided*, That if any such school shall be discontinued, or the good of the naval service shall require, such vessel shall be immediately restored to the Secretary of the Navy and the officers so detailed recalled: *And provided further*, That no person shall be sentenced to or received at such schools as a punishment or commutation of punishment for crime.

SEC. 4. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none. The gentleman from New York is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. BENNET of New York. Mr. Speaker, this bill extends to some extent the existing law in relation to marine schools. At present the Secretary of the Navy is authorized to furnish any State a suitable vessel, with all her apparel, charts, and so forth, for a nautical school, and he is also authorized, when he does not deem it a detriment to the public service, to detail proper officers of the Navy as superintendents of or instructors in said schools. This bill goes one step further, and provides that where a State or municipality for the purpose of maintaining such a marine school appropriates money the appropriation by this Congress is authorized, not made, of a sum not exceeding the sum annually appropriated by such State or municipality. The existing condition of these schools is this: There are two, one in New York and one at Philadelphia. Those schools are maintained by the respective municipalities. In them are trained many young men.

Mr. GOULDEN. Mr. Speaker, I would like to suggest that there is one also at Boston.

Mr. BENNET of New York. And at Boston. I thank my colleague for the correction. New York, Philadelphia, and Boston. In them are trained the young men for the merchant marine, and not only for the merchant marine, but the executive officers of most of the auxiliary vessels of the United States graduate from these schools. This bill authorizes additional schools at Seattle and San Francisco if those municipalities are willing to pay an amount necessary for their maintenance and take a chance that the Government will appropriate something for their support.

Mr. STAFFORD. As I understood the gentleman, he stated that the places where these auxiliary schools are now in existence are Philadelphia, New York, and Boston.

Mr. BENNET of New York. Yes.

Mr. STAFFORD. They are the only places where these schools are established?

Mr. BENNET of New York. Yes.

Mr. STAFFORD. I would like to direct the gentleman's attention to the naval auxiliary that is maintained on the Great Lakes and ask whether that auxiliary which has the present support of various States, principally Illinois, Minnesota, and Michigan, and, I believe, Ohio—whether those States likewise would not be beneficiaries under this act.

Mr. BENNET of New York. I would say to the gentleman if he desires to have them benefited by the provisions of this general act, I would be glad when this bill passes to have them added in the Senate. I am not familiar with those schools.

Mr. STAFFORD. They are not schools. They are a part of the naval militia of the States.

Mr. BENNET of New York. Those bodies now receive national aid.

Mr. STAFFORD. That is what I understood. This bill does not apply to them?

Mr. BENNET of New York. No.

Mr. STAFFORD. Simply to those who maintain a naval auxiliary?

Mr. BENNET of New York. Exactly. Our school in New York is educating quite a number of young men every year.

Mr. COOPER of Wisconsin. Does this conflict at all with the naval training school, so called?

Mr. BENNET of New York. Not in the slightest degree.

Mr. SLAYDEN. This bill seems to carry an indefinite appropriation.

Mr. BENNET of New York. Oh, no.

Mr. SLAYDEN. Section 2 provides that a sum equal to that annually appropriated by the State or municipality for the purpose of maintaining such a marine school or schools is hereby authorized to be appropriated—

Mr. BENNET of New York. Authorized.

Mr. SLAYDEN (continuing). For the purpose of aiding in the maintenance and support of such school or schools.

Mr. BENNET of New York. The amendment I have suggested and sent to the Clerk's desk strikes out the words "equal to that," in section 2, line 6, page 2, and puts in the words "not exceeding in amount," so that what it does is to authorize this or any succeeding Congress, if in its judgment it ought to be done, to appropriate a sum not exceeding in amount.

Mr. SLAYDEN. Congress would have that authority anyway, would it not?

Mr. BENNET of New York. No; Congress would have to have a bill passed in this way and then an appropriation from the appropriate committee. The Appropriations Committee could not report an appropriation unless there was some authority of law given, otherwise it would be subject to the point of order in the House.

Mr. SLAYDEN. How much would it perhaps cost the country?

Mr. BENNET of New York. If it went to the maximum, I imagine it could not be over \$25,000 a year.

Mr. SLAYDEN. For all the schools?

Mr. BENNET of New York. It would be more than that with the other two—\$50,000 or \$60,000.

Mr. SLAYDEN. You authorize conditionally the establishment of other schools. You have one at New York—

Mr. BENNET of New York. There are three now—one at Boston, one at Philadelphia, and one at New York.

Mr. SLAYDEN. There is one authorized at New York, Boston, Philadelphia, Baltimore, Norfolk, Wilmington, Mobile, Charleston, New Orleans, Savannah, Baton Rouge, in Narragansett Bay, and San Francisco.

Mr. BENNET of New York. That is all eliminated in accordance with a suggestion of the chairman of the Committee on Appropriations, and there are only two added—Seattle and San Francisco.

Mr. SLAYDEN. You have no idea what the appropriations will ultimately have to be?

Mr. BENNET of New York. No; it would have to come up in the regular way and be passed on by the House.

Mr. SLAYDEN. What is the purpose of it, to make sailors for the merchant ships?

Mr. BENNET of New York. Not only for the merchant ships but for our own auxiliary. The executive officer who took the dry dock *Dewey* to Manila was a graduate of the New York school. The executive officers of the lighthouse tenders are 75 or 80 per cent of them graduates of these schools. The executive officers of the naval colliers, as I recall it, come from these schools. The Government gets tremendous benefit from these schools, and they are maintained now by these three cities at a large expense per pupil for the benefit of the whole United States, and this simply is to give any succeeding Congress the right, if it so desires, or this Congress, if it so desires, to appropriate any sum it pleases, \$5,000 or \$10,000, for the purpose.

Mr. SLAYDEN. The gentleman does not mean to tell me the city of New York is engaged in such a purely altruistic work as this for the benefit of, say, for instance, the State of Texas?

Mr. BENNET of New York. Yes; and has been since 1876; and I do not doubt but that every coaster of any size that comes into port in Texas, a large coaster, has on it a graduate of St. Mary's School, New York.

Mr. SLAYDEN. And you say this also covers the Lighthouse Service?

Mr. BENNET of New York. The lighthouse officers come almost entirely from these schools.

Mr. SLAYDEN. And all heading more or less directly for a pension?

Mr. BENNET of New York. I do not believe there is any pension roll.

Mr. MANN. Will the gentleman yield?

Mr. BENNET of New York. Certainly.

Mr. MANN. What is the distinction between a nautical school and a marine school?

Mr. BENNET of New York. Well, the gentleman ought to know—

Mr. MANN. I know, but the gentleman does not know, and the gentleman did not report the bill, and he is trying to find out from the gentleman who did report the bill.

Mr. BENNET of New York. The bill, as reported, provided for an appropriation for the purpose of maintaining such a marine school or schools, and, at the suggestion of the gentleman from Illinois—

Mr. MANN. It says:

Such a marine school or schools.

Where is the distinction of such a marine school in the bill? The bill in section 1 provides in reference to nautical schools, and in section 2 it provides "for such a marine school or schools." What is the distinction between a nautical and a marine school?

Mr. BENNET of New York. I have never been able to see—

Mr. MANN. You say a "nautical school" in one section of the bill and "marine school" in another, and there is no distinction as to a marine school in the bill.

Mr. BENNET of New York. It seems to me the term is synonymous.

Mr. MANN. If it is synonymous, why, then, do you change them?

Mr. BENNET of New York. If there was any objection, I think the amendment suggested by the gentleman from Illinois of the words "or a nautical branch thereof," which we have adopted, covers it.

Mr. MANN. The gentleman provides in reference to a nautical school in section 1, or a nautical branch thereof. Now, under section 2, it refers to a marine school. I assume if the committee thought they meant identically the same thing they would naturally use the same language.

Mr. BENNET of New York. The committee evidently did. If they are not the same thing, and if I can get unanimous consent, I will ask that they change "marine" to "nautical."

Mr. MANN. I thought the committee, in its wisdom, had discovered the distinction between a marine school and a nautical school. Plainly, it is always in the interest of construction of statutes, where you mean the same thing in two places, to use the same language.

Mr. BENNET of New York. I quite agree with the gentleman.

Mr. HUMPHREY of Washington. I was going to say, as a matter of fact, that the committee thought the terms were synonymous; and they happened to be that way in the bill, and they did not change them.

Mr. MANN. When there are two terms meaning substantially the same thing, in the same law, it is desirable to use the same expression.

Mr. HUMPHREY of Washington. I thought it had all been agreed between the gentleman from Illinois [Mr. MANN] and the gentleman from New York [Mr. BENNET] that the change should be made.

Mr. MANN. I do not remember the agreement, if made. It must have been made a long time ago.

Mr. BENNET of New York. It was; at the last session of Congress.

Mr. MANN. I think there was no agreement whatever. I made a suggestion to the gentleman from New York to insert the words "or nautical branch thereof," and I then called the attention of the gentleman, on a marked bill, to the distinction. In one section there was used the term "marine schools," and in another section "nautical schools."

Mr. GOULDEN. Does the gentleman from Illinois think there is any distinction? I ask him, because of my entire confidence in his ability to discriminate.

Mr. MANN. I am not a marine, as the gentleman from New York is. I thought the chairman of the Committee on the Merchant Marine and Fisheries would know the distinction, and if there is no distinction, certainly the use of correct English.

Mr. OLMSTED. Possibly he means the horse marines. [Laughter.]

Mr. HUMPHREY of Washington. Mr. Speaker, as the bill is amended I hope that it will pass. If it does, it will give San Francisco and Seattle an opportunity to establish these schools. As the law is to-day it does not permit these schools on the Pacific coast. I also think that the Government should be willing to pay part of the expense of these schools. The Navy Department has just given to the State of Washington a naval vessel for the purpose of being used in the training of boys in the Naval Militia. Our city is taking great interest in all matters pertaining to the Navy and our merchant marine, and if this bill is passed I believe a great marine school will be established at Seattle, where American boys can be trained in seamanship. These young men will not only furnish officers for the Revenue Service and the merchant marine, but they will be of great value in time of necessity for the service they can render to the Navy.

Mr. BENNET of New York. How much time have I consumed, Mr. Speaker?

The SPEAKER. Thirteen minutes. The gentleman has seven minutes remaining.

Mr. KOPP. Will the gentleman yield?

Mr. BENNET of New York. For a question.

Mr. KOPP. Does the Government contribute anything toward the support of these schools now?

Mr. BENNET of New York. Not a cent.

Mr. KOPP. If I understand the bill, it proposes to furnish the instructing force entirely, does it not?

Mr. BENNET of New York. That is not new. That is done now.

Mr. KOPP. That is what I was asking.

Mr. BENNET of New York. I beg the gentleman's pardon. I thought he was simply referring to appropriations.

Mr. KOPP. The Government furnishes instructors now?

Mr. BENNET of New York. What the Government does is this: It furnishes a vessel for which it has no use, and if it is in control of the city, the city pays all the expense of keeping the vessel going. If it details a man, he is paid by the city, but there is an authorization to that man to be so detailed.

Mr. KOPP. Take the school at New York to which you refer, and the name of which I have forgotten, how many instructors are there in it, approximately?

Mr. BENNET of New York. I am not able to say. There is one man at the head of it, and I should say that there are six or seven instructors.

Mr. KOPP. From what source does their pay come?

Mr. BENNET of New York. From the city of New York.

Mr. KOPP. This bill proposes to furnish all of those instructors, does it not, or at least authorizes the President to appoint all of them from naval officers?

Mr. BENNET of New York. No; it permits them to be detailed for that purpose.

Mr. KOPP. Under the bill it would be possible for the President to appoint all the instructors.

Mr. BENNET of New York. That is the existing law, in section 3; it is not changed a particle. The only change in the bill is in section 2—that is, the only change of any moment—which authorizes Congress to appropriate, if it will.

Mr. KOPP. One-half?

Mr. BENNET of New York. Yes.

Will the gentleman from Illinois [Mr. MANN] consume some of his time? I reserve the balance of my time.

Mr. MANN. Mr. Speaker, the law now upon the statute books provides that the Government may furnish nautical instruments to nautical schools in various cities and may also detail an officer of the Navy to give instruction in those schools.

In section 2 of this bill is a provision which ought to receive serious consideration from Congress. Some years ago the Government created or authorized the creation of State universities, and in course of time made appropriations directly out of the Treasury for those universities. Those appropriations have been increased until now they amount to more than a million dollars a year. Originally there was no appropriation at all, and then when the appropriation was commenced, a small amount. This bill proposes to authorize or authorizes the making of an appropriation equivalent to one-half the expense of maintaining these nautical and marine schools in five cities. It does not limit that expense to the existing nautical schools in those cities. Any business college in New York City can establish a nautical branch and thereupon obtain, under the authorization here, one-half of the expense out of the General Treasury.

Mr. STAFFORD. If the gentleman will permit, I think the phraseology is limited to a city or municipality, rather than a private institution, as defined in section 2.

Mr. MANN. Where is that in section 2?

Mr. STAFFORD (reading):

That a sum not exceeding the amount appropriated by any city or municipality.

Mr. MANN. Very well.

Mr. STAFFORD. It can not extend to private institutions.

Mr. MANN. Very well; if the city of New York appropriates some amount of money for this purpose and a larger amount of money than Congress cares to appropriate, there is no limitation on the appropriation at all.

Mr. SULZER. There is only one school in each city.

Mr. MANN. Where is the provision for only one school in one city? If the gentleman finds that I will take my seat now.

Mr. MICHAEL E. DRISCOLL. It says school or schools.

Mr. MANN. But the gentleman from New York [Mr. SULZER] says that the measure had but one school in each city, and I am waiting information as to where he finds that.

Mr. SULZER. On investigation I find there is no provision of the bill requiring that specifically—

Mr. MANN. That is another proposition. The gentleman says there may be more.

Mr. SULZER. I thought the gentleman said there was one school to a city, and I am willing to accept his word for it.

Mr. MANN. But there may be more, while the gentleman stated a moment ago it was confined to one.

Mr. SULZER. In my judgment it should be confined to one school in each city.

Mr. MANN. Now you are talking good sense. If it is, let us try and put some limitation upon the number of schools in each city and some limitation upon the appropriation. Under the provisions of this bill, the expense may be \$1,000,000. How much does it cost? You have a college in New York. In the original bill, before the amendment was made in the form in which it is now offered, in the college of New York, New York City, it authorized a nautical school. We might have made a pledge, if we followed the terms of this bill, to pay half the expenses of all the instruction, not the instruction in the nautical school, but half the cost of the entire university. That fault has been cured. Now we ought, if we pass this bill, to put a limitation on it as to the amount of money which is authorized by this bill to be paid out of the General Treasury. Is the gentleman from New York willing to do that?

Mr. BENNET of New York. Perfectly.

Mr. MANN. How much will it take?

Mr. BENNET of New York. Make it \$100,000 a year.

Mr. MANN. That is a pretty large amount.

Mr. BENNET of New York. Well, that is the maximum.

Mr. MANN. Oh, well, the gentleman knows from his long service in this House that in a case like this, where Congress expresses its opinion as to the maximum, that is quickly reached. The gentleman a moment ago suggested \$100,000.

Mr. BENNET of New York. Commencing at \$25,000.

Mr. MANN. For each school?

Mr. BENNET of New York. Make it \$25,000 for each school.

Mr. MANN. Then there is no limitation upon the number of schools in a single city.

Mr. HUMPHREY of Washington. Why not limit it to each school?

Mr. MANN. One to each city?

Mr. SLAYDEN. How many cities?

Mr. FOSTER of Illinois. Why not limit it to one in a State?

Mr. MANN. The bill names five, and there is only one in a State.

Mr. SLAYDEN. Colorado would not get much.

Mr. MANN. There ought to be a limitation of one school to a city, and \$25,000 annually for one school.

Mr. BENNET of New York. That satisfies me.

Mr. MANN. Let us see if we can arrange it.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to modify my motion by providing for suspension of the rules and passage of the bill, with the amendment already sent to the desk, and this additional amendment to come in in line 21, page 2:

Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.

Mr. SLAYDEN. And one city to a State.

Mr. BENNET of New York. That would enlarge it, because there are only five cities named.

Mr. MANN. I think you could shorten that language a good deal.

The SPEAKER. Is there objection to the request of the gentleman from New York? If not, the Clerk will report the proposed amendment.

The Clerk read as follows:

Insert in line 21, on page 2, the following:

Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.

Mr. KOPP. Ought not that to be a proviso to section 2?

Mr. BENNET of New York. I think it would come in better after line 10. I think the gentleman is correct.

Mr. STAFFORD. Let us have the amendment reported again, Mr. Speaker.

The SPEAKER. If there be no objection the Clerk will again report the amendment.

The Clerk read as follows:

Insert after line 10, on page 2, the following:

Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.

Mr. MANN. Suppose you make it read "any one of the cities above mentioned in section 1."

Mr. BENNET of New York. I will accept that.

Mr. MANN. Instead of "any one city" make it read "any one of the cities hereinbefore named in section 1."

Mr. OLMSTED. You have not named any city in section 1.

Mr. MANN. The amendment names five cities. I think the word "port" is used instead of "city."

The SPEAKER. The question is on suspending the rules and passing the bill with the amendments.

Mr. MANN. May we have the amendment read again? There was a change made.

The SPEAKER. If there be no objection, the amendment as modified will be reported by the Clerk.

The Clerk read as follows:

Insert after line 10, on page 2, the following:

Provided, however, That appropriations shall be made for but one school in any port heretofore named in section 1 and the appropriation for any one year shall not exceed \$25,000 for any one school.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question being taken; and two-thirds voting in the affirmative, the rules were suspended and the bill as amended was passed.

Mr. GOULDEN. Mr. Speaker, the bill (H. R. 24145) for the establishment of nautical schools, and for other purposes, after careful investigation by the Committee on the Merchant Marine and Fisheries, under consideration, was favorably reported during the last session. New York City established such a school in 1876, and maintained it creditably ever since.

In these 35 years hundreds of young men were graduated and have made splendid records in the lighthouse, naval, revenue, and merchant-marine services. There is a far greater demand for these young men than the three nautical schools can possibly supply. Hitherto the cities of New York, Boston, and Philadelphia, maintaining such institutions, have borne all the expenses, the benefits accruing to the entire country.

This bill simply provides that the Federal Government, which benefits so largely from the services of these graduates, shall pay toward their support in a sum not exceeding one-half of the cost of maintaining the same.

The proposed amendment will give each of the five cities authorized by this bill, viz, New York, Boston, Philadelphia, San Francisco, and Seattle, a sum not exceeding \$25,000 annually, while not sufficient, will be a relief and encouragement to the cities named.

The advocates of the measure will accept the amendment, confidently believing that a future Congress will add sufficiently to the amount named to properly and successfully conduct these excellent schools.

I am familiar with the splendid results achieved by the *Newport* and its predecessor, the *St. Marys*, supported by the great city of New York, and believe the measure under consideration to be a most praiseworthy one.

RECOMMITTAL.

Mr. PRINCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table two bills, H. R. 19856 and H. R. 26129, reported adversely by the Committee on Claims, and to recommit them to the Committee on Claims.

The SPEAKER. The gentleman from Illinois asks unanimous consent that these bills be recommitted to the Committee on Claims. Is there objection?

There was no objection.

LEGISLATIVE APPROPRIATION BILL.

Mr. GILLET. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill (H. R. 29360).

The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BURKE of Pennsylvania in the chair.

The Clerk proceeding with the reading of the bill, read as follows:

Office Third Assistant Postmaster General: Third Assistant Postmaster General, \$5,000; chief clerk, \$2,500; superintendent Division of Stamps, \$2,750; superintendent Division of Finance, who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties, \$2,250; assistant superintendent Division of Finance, \$2,000; superintendent Division of Classification, \$2,750; six special agents, Division of Classification, at \$2,000 each; chief Division of Redemption, \$2,000; superintendent Division of Registered Mails, \$2,500; six assistant superintendents Division of Registered Mails, at \$2,000 each; 9 clerks of class 4; 23 clerks of class 3; 32 clerks of class 2; 44 clerks of class 1; 28 clerks, at \$1,000 each; 18 clerks, at \$900 each; messenger; 5 assistant messengers; 12 laborers; page, \$360; in all, \$253,270.

Mr. WEEKS. Mr. Chairman, I move to strike from the bill the following language, commencing with line 21, the words:

Six special agents, Division of Classification, at \$2,000 each.

And in line 24, the words:

Six assistant superintendents, Division of Registered Mail, at \$2,000 each.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 141 strike out the following language, lines 21 and 22, "six special agents, Division of Classification, at \$2,000 each," and lines 24 and 25, the words "six assistant superintendents, Division of Registered Mail, at \$2,000 each."

Mr. GILLETT. Mr. Chairman, I would like to know the purpose of this amendment.

Mr. WEEKS. I will explain the purpose of my amendment. There were originally six classes of inspectors connected with the Post Office Department, the regular inspectors, those connected with the Rural Service, those connected with the Railway Mail Service, the Division of Salaries and Allowances, those connected with the Division of Classification, and the Division of Registered Mail. The latter were originally stationed in Washington, and therefore were properly appropriated for in the bill now under consideration. Now, they have been sent about the country so that of the 12 men belonging to these classes there are only 3 doing duty in Washington. It would be as logical to appropriate in this bill for letter carriers or for any other class of men in connection with the postal service as for these inspectors who are now in the field and doing similar work to other inspectors in the field. The Post Office Department has actually consolidated all the classes of inspectors so that now they are working as one body. That is to say, they are not using these men for the special purposes for which they were appropriated for, but for a general inspection service, and it is not in my judgment logical or reasonable that this bill should contain appropriations for service that is being employed in the field in connection with the Post Office Department.

Mr. GILLETT. How long has that been going on?

Mr. WEEKS. I should say three or four months. I think they have been in the field six months.

Mr. GILLETT. But it was all within this year?

Mr. WEEKS. I think within this year.

Mr. CRUMPACKER. I think the special agents connected with the Division of Classification have been in the field for two or three years.

Mr. WEEKS. Oh, yes; some of them, off and on.

Mr. CRUMPACKER. I know that some special agents in the Classification Division were sent out into the field and have been in the field ever since for two or three years investigating publications with a view, of course, to classification. They are all now under a chief inspector and classed as inspectors.

Mr. GILLETT. They are paid out of this appropriation?

Mr. CRUMPACKER. Yes; this is for special agents in the Division of Classification, and they are under the control of the Third Assistant Postmaster General.

Mr. GILLETT. He had no legal right to do that; it was a violation of law.

Mr. WEEKS. I do not think it is in violation of law; I think the Postmaster General has a right to use the inspection service in any field he sees fit.

Mr. GILLETT. Mr. Chairman, I do not think he has. I think that the appropriations under this bill are meant for the service here in Washington, in the departments, and, as the gentleman says—

Mr. WEEKS. That is quite true; but the service is not performed in Washington in these cases, and therefore I want it inserted in the Post Office appropriation bill, where it belongs.

Mr. GILLETT. Exactly. It seems to me that is true. What I wish to bring forward is a criticism of past conduct. If what

the gentleman says is true, they have been violating the law in the past.

Mr. WEEKS. I do not agree that any law is being violated.

Mr. GILLETT. Why not?

Mr. WEEKS. The Postmaster General is trying to arrange the inspection service so that it will be under the charge of a chief inspector and homogeneous, so that a man need not go to a town to inspect the registered service, and then another inspector drop into the same town to inspect something else in connection with the post-office service. It all brings about economic service.

Mr. GILLETT. I am not criticizing that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. I ask unanimous consent that the time of the gentleman from Massachusetts be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GILLETT. The point I am making is this, that here these men are provided for, and have been for years, to do work in Washington. Now, the gentleman from Massachusetts [Mr. WEEKS] says that they are not doing it now in Washington—only three of the 12. The gentleman from Indiana [Mr. CRUMPACKER] says that from the very beginning that was done. All I wish to call attention to is that if that is so they certainly do not belong in this bill, but they had no business to be used in that way, so long as they were in this bill, it seems to me, and why did not the Postmaster General in making his estimate this year suggest that they be taken off?

Mr. WEEKS. The Postmaster General has written a letter to the chairman of the Committee on Appropriations stating that he has consolidated this service, and suggesting by inference that the appropriation be transferred. The men have been transferred.

Mr. GILLETT. No such suggestion was made when we were framing the bill.

Mr. WEEKS. A copy of the letter was sent to me.

Mr. GILLETT. Not until after the bill was reported, the clerk of the committee informs me.

Mr. CRUMPACKER. The work of these special agents is chiefly in the field. They go into the field to investigate the character of publications. I have in mind one constituent of mine who has been in the service for three years, and he has not in that time been in the city of Washington for six weeks. His work is in the field altogether, except when detailed to come here to finish up some matters in connection with reports he has made, to explain. I know of a number of others, two or three, who have been engaged in field work out of Washington substantially all of the time for the last three years.

Mr. GILLETT. What right had they to be so employed when appropriated for in this bill?

Mr. CRUMPACKER. I do not know. I understand that they will be paid hereafter as inspectors and the appropriation made for them as inspectors.

Mr. FINLEY. Under the general law the Postmaster General has the right to transfer the various bureaus and branches of the service one to the other, and acting under that law he has made this transfer, so that these men are no longer in the department, but in the field, and they will be provided for in the Post Office appropriation bill which is being prepared.

Mr. GILLETT. The gentleman does not mean, of course, that the Postmaster General has the right to transfer from the postal service to the Postal Department?

Mr. FINLEY. Oh, I mean that he can transfer any branch of the service in the department from one bureau to another, and that he has done.

Mr. GILLETT. Here in the department, yes; but as I understand this is not in the department from one bureau to another, but this is from the department to the service. As I understand, the distinction is that the Post Office appropriation bill appropriates for the postal service and this bill appropriates for the Postal Department. The law provides that the two shall be kept distinct, and I am of course perfectly willing and want the men to be in the proper bill where they are now used and ought to be used.

Mr. FINLEY. The gentleman will admit the Postmaster General could dispense with the services of these men if no longer needed?

Mr. GILLETT. Assuredly.

Mr. FINLEY. All that has been done is to transfer this number to the Post Office appropriation bill because they are engaged in field work.

Mr. CRUMPACKER. Are not these special agents engaged in departmental work? The Third Assistant Postmaster General sends the men out in order to get information that he needs, and that is really departmental work.

Mr. GILLETT. Then it ought to be in this bill.

Mr. CRUMPACKER. That is the proposition to be determined; that is for the information of the Third Assistant Postmaster General in order that that department or in order that this classification may be made he sends special agents out just the same as if he would make a trip, and while on that trip he would be doing departmental work.

Mr. GILLETT. If it is departmental work, it ought to be in this bill; if not, it ought not.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. FITZGERALD. I ask that his time be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. The duties of the post-office inspectors are entirely different from these, are they not?

Mr. WEEKS. The duties of the post-office inspectors were formerly specialized. That is to say, there were regular inspectors, and inspectors engaged in the Rural Service, inspectors in the Salaries and Allowance Division, inspectors connected with the Railway Mail Service, and so forth. The Postmaster General, in order to prevent duplication of work, has consolidated all of these services and put them under the chief inspector.

Mr. FITZGERALD. That may be true; but what authority is there for the Postmaster General to take men who were authorized for use in work in the department in Washington and transfer them to the field service?

Mr. WEEKS. It has been necessary in connection with the registry service, for instance, to have these men inspecting and investigating the registry service in the field, and, as a matter of fact, all six of these men, five of them at least, are in the field and have been for a long time.

Mr. FITZGERALD. Who performs the duties they were supposed to perform?

Mr. WEEKS. It prevents sending two inspectors to the same town to do similar work in the inspection of a post office.

Mr. GILLETT. Is not one line of duty looking up accounts and the other line of duty looking after field work?

Mr. WEEKS. It is quite likely that is true, but one man can do the two services quite as well and save the expense of transportation of one and other necessary expenses.

Mr. GILLETT. It seems to me one would be an agent of the department for one purpose and another for quite another purpose, and I should suppose that they are quite different men, but I know nothing about it.

Mr. WEEKS. No; not at all. The department's recommendation is that they can employ these men for general service and get much better results and better economy in the service.

The CHAIRMAN. The question is on the amendment offered by the gentleman—

Mr. MANN. Mr. Chairman, may I ask the gentleman from Massachusetts, chairman of the Committee on the Post Office and Post Roads, a question? He says it is not a violation of the law to transfer officials from Washington to field service. Upon what basis does he make that statement?

Mr. WEEKS. I did not say it was not a violation of the law to transfer these men to the field service.

Mr. MANN. I beg the gentleman's pardon; I did not understand him.

Mr. WEEKS. At least I did not intend to say that. I am not sure what the law is in the case of a transfer of men from the departmental service to the field service, but as a matter of fact, in connection with such duties as registry inspection, inspectors have been a large part of the time since the establishment of the service in the field, but making their headquarters in Washington. Now, for instance, two of these men are in San Francisco.

Mr. MANN. What I really want to get at is whether the Post Office Department, at some time unable to secure from the Post Office Committee an appropriation for agents for field service, then came in before the Committee on Appropriations and showed how highly essential it was that these officials should be provided for in the District of Columbia, at Washington, and then, having obtained an appropriation and appointed the officials, transferred them to this field service.

Mr. WEEKS. Mr. Chairman, I am not familiar with the original authorization for this service, but undoubtedly it was originally the intention that it should be connected with the department, just as it was the intention that a certain class of inspectors should do rural delivery service inspection; but it was soon developed that they were sending a man into the field to inspect a rural route and another inspector was inspecting a post office in the same neighborhood, while one man could do

both services on the same day and at the same time. The department thinks it wise to bring both of these classes under the same bureau and to absolutely prevent the duplication of service by sending two men into a neighborhood where one man can do the work.

I want to add this word, Mr. Chairman: It seems to me it is unwise, as long as a committee has an appropriation bill pertaining to a service, that anything relating to that bill should be carried by another committee. I say this without any prejudice as to what committee it is, but I do not see how we are going to know what the cost of a service is unless the whole cost is included in one bill.

Mr. MANN. Is it not also true that there is no method of ascertaining what the cost of the service is in Washington or in the field if one committee has jurisdiction of the entire subject and makes all the appropriations?

Mr. WEEKS. I do not think that is entirely true, Mr. Chairman.

Mr. FITZGERALD. That has been the experience of ages.

Mr. MANN. That is the reason of the delimitation between the jurisdiction of the committees. The gentleman from Massachusetts [Mr. WEEKS], after not very extended service on the Committee on Post Office and Post Roads, although a very brilliant service while he has been there, has reached that conclusion. A great many people who have been for many years and during a long period of time working on appropriations have reached the contrary conclusion. That is the reason they provided it in the rules.

Mr. WEEKS. I must admit youth and inexperience as compared with the gentleman from Illinois.

Mr. MANN. "The gentleman from Illinois" was not referring to himself. This item has been in the rules for many years.

Mr. WEEKS. My experience is that it is wiser that everything pertaining to a service, as long as all appropriations are not coming from one committee, should go to the committee which has special charge of it.

Mr. MANN. That the gentleman and his committee should have jurisdiction over all the appropriations relating to the Post Office Department, including those that are carried in this bill, as I take it.

Mr. WEEKS. Not at all. All appropriations pertaining to the work of the post-office service outside of the departmental service.

Mr. GILLETT. Does the gentleman think the recommendation of the Postmaster General for spending a million dollars, which is now carried in his appropriation, and to put it on the sundry civil bill, is wise in that line? I mean the appropriation for printing the postage stamps.

Mr. WEEKS. I have no information on that subject, and I certainly do not think it is wise.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. My information is that there has been not only a distinction between these two classes of employees, but that it will be very difficult to utilize the employees under these different classifications indiscriminately in the work that is to be done. The post-office inspector has always been regarded in the guise of a detective. He is sent out to ascertain where errors have been made or where crime has been committed and to prevent abuses in the department. These particular employees were authorized, according to my recollection, at the urgent request of the department, because it was desired to have a force of men that were specially equipped and who might go, at the direction of the Third Assistant Postmaster General, to instruct other employees in their work. They were to be special instructors to aid the men employed in the various offices in the better performance of their work, and it was believed that the ordinary post-office inspector, considering the manner in which he is looked upon by the average post-office employee, was not the best person to designate to accomplish that work. If these assistants who have been authorized as departmental employees have been transferred to the postal field service it is without authority. While the Postmaster General may have the right to transfer from one part of the service to another or from one bureau to another there is no authority in the law to permit him to transfer at will from the department to the service or from the service to the department.

Mr. WEEKS. Mr. Chairman, I have not at hand the law on that subject, but it is the universal opinion of those who are familiar with this service, the Postmaster General, his four assistants, and the chief inspector, that the service will be better performed and real economy will be brought about by making this consolidation which has already been physically made. I am simply asking that the appropriation which ap-

plies to men who are not doing departmental work, but are in the field, shall be provided for in the post-office appropriation bill. The same amount of money will be appropriated.

Mr. MANN. I take it that the proposition is that these people are not engaged in departmental work in Washington, and of course the appropriation should be stricken out; but as to whether we should appropriate for them in some other place, that remains to be considered hereafter.

Mr. WEEKS. It is proposed to appropriate for them in the Post Office appropriation bill.

Mr. MANN. It remains for Congress to determine whether we shall or not.

Mr. WEEKS. Of course we shall make the report to that effect, and Congress can do as it sees fit.

Mr. GILLETT. As I understand, they were appropriated for by us. They came to us from the Postmaster General, because he did not want inspectors to do this work.

Mr. WEEKS. Originally.

Mr. GILLETT. Now, I understand, they revert to the old custom, and do want the inspectors.

Mr. WEEKS. That is the fact, and all the inspectors are doing similar work in the field.

Mr. GILLETT. We do not want any duplication of work that the Postmaster General is doing, practically in violation of the law as the law obviously reads.

Mr. CRUMPACKER. It is very difficult to separate the departmental service from the postal service. I have been investigating the service of inspectors, and I think the intention is to recommend that the inspectors who do all the detective business shall be transferred over to the Department of Justice; that the Department of Justice should detect and punish crime. It is not a part of the duty of the Post Office Department to do that. It is with a view to classifying and economizing. That is, I think, a part of the present Postmaster General's plan of further economizing the service and making it more systematic and effective.

Mr. GILLETT. I regret that the Postmaster General did not come before the committee to tell them that which he has apparently communicated to the gentleman from Massachusetts. That seems to be a part of his purpose and what he is doing now, although it seems to me that he has no right to do it; and so I see no objection to its going out here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. MANN. I should like to have the amendment reported again, so as to know what it is.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For per diem allowance for assistant superintendents, Division of Registered Mails, when actually traveling on business of the Post Office Department, at a rate to be fixed by the Postmaster General, not exceeding \$4, and for other actual and necessary traveling expenses arising in connection with business of the Division of Registered Mails, \$7,000.

Mr. CULLOP. I desire to reserve the point of order on that.

Mr. WEEKS. I move to strike out from the bill the paragraph just read.

The CHAIRMAN. The gentleman from Massachusetts moves that the paragraph just read be stricken from the bill.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

For per diem allowance for special agents, Division of Classification, when actually traveling on business of the Post Office Department, at a rate to be fixed by the Postmaster General, not exceeding \$4, and for other actual and necessary traveling expenses arising in connection with the business of the Division of Classification, \$7,000.

Mr. WEEKS. Mr. Chairman, I move that that paragraph be stricken from the bill.

The CHAIRMAN. The gentleman from Massachusetts moves that the paragraph just read be stricken from the bill.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

Division of Supplies: Superintendent, \$2,500; assistant superintendent, \$2,000; 2 clerks of class 4 (one in lieu of printing clerk transferred from office of the Postmaster General); 3 clerks of class 3; 11 clerks of class 2; 18 clerks of class 1; 16 clerks, at \$1,000 each; 8 clerks, at \$900 each; messenger; 11 assistant messengers; 18 laborers; page, \$360; in all, \$94,100.

Mr. MACON. I reserve the point of order to the words on page 144, line 5:

Assistant superintendent, \$2,000.

His salary last year was \$1,800, and this being an increase of salary the provision is subject to a point of order.

The CHAIRMAN. The gentleman from Arkansas raises a point of order. The Chair will be glad to hear from the gen-

tleman from Arkansas or from the gentleman in charge of the bill.

Mr. GRAFF. Mr. Chairman, we confess the point of order.

The CHAIRMAN. The Chair sustains the point of order. Does the gentleman from Illinois desire to offer an amendment?

Mr. GRAFF. We offer an amendment restoring the original salary of \$1,800, moving to insert \$1,800 in place of \$2,000 just stricken out on the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 144, line 5, after the word "dollars," insert "assistant superintendent, \$1,800."

The amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Office of the Attorney General: Attorney General, \$12,000; Solicitor General, \$10,000; assistant to the Attorney General, \$7,000; 7 Assistant Attorneys General, at \$5,000 each; Assistant Attorney General of the Post Office Department, \$5,000; Solicitor of Internal Revenue, \$5,000; Solicitor for the Department of State, \$5,000; 3 attorneys, at \$5,000 each; 1 attorney, \$3,750; 2 attorneys, at \$3,500 each; attorney, \$3,250; 12 attorneys, at \$3,000 each; attorney, \$2,500; assistant attorney, \$3,500; 2 assistant attorneys, at \$3,000 each; 2 assistant attorneys, at \$2,750 each; 5 assistant attorneys, at \$2,500 each; assistant attorney, \$2,400; 2 assistant attorneys, at \$2,000 each; attorney in charge of titles, \$3,500; assistant examiner of titles, \$2,000; chief clerk and ex officio superintendent of the buildings, \$3,000; superintendent of buildings, \$500; private secretary and assistant to the Attorney General, \$3,000; clerk to the Attorney General, \$1,600; stenographer to the Solicitor General, \$1,600; 3 law clerks, at \$2,000 each; 2 law clerks of class 4; clerk in office of the Solicitor of Internal Revenue, \$1,800; attorney in charge of pardons, \$3,000; superintendent of prisons, \$4,000; disbursing clerk, \$2,750; appointment clerk, \$2,000; chief of Division of Investigation, \$3,500; 3 examiners, at \$2,500 each; 4 examiners, at \$2,250 each; 2 examiners, at \$2,000 each; 3 examiners, at \$1,800 each; librarian, \$1,800; 8 clerks of class 4; 12 clerks of class 3; 7 clerks of class 2; 16 clerks of class 1; 15 clerks, at \$1,000 each; 22 clerks, at \$900 each; chief messenger, \$1,000; packer, \$900; 6 messengers; 13 assistant messengers; 7 laborers; 7 watchmen; engineer, \$1,200; 2 assistant engineers, at \$900 each; 4 firemen; 2 conductors of the elevator, at \$720 each; head charwoman, \$480; 22 charwomen. Division of Accounts: Chief of Division of Accounts, \$2,500; chief bookkeeper and record clerk, \$2,000; 3 clerks of class 4; 4 clerks of class 3; 6 clerks of class 2; 5 clerks of class 1; 2 clerks, at \$900 each; in all, \$418,890.

Mr. MACON. I reserve a point of order on this paragraph. There is certain language in it that I will particularize that is offensive to the rules of the House. On page 148, beginning with line 3, after the word "each," I find—

Attorney in charge of titles, \$3,500.

The salary carried in the last bill was \$2,700; that being an increase of \$800, I make a point of order against it.

In line 5, on the same page—

Chief clerk and ex officio superintendent of the buildings, \$3,000.

His present salary is \$2,500. I make a point of order upon that increase.

On the same page, line 18—

Chief of Division of Investigation, \$3,500.

The present salary is \$3,000. I make a point of order upon that increase.

In line 23, on the same page, I find—

Librarian, \$1,800.

The present salary is \$1,600. I make a point of order against the increase.

On page 147, in line 20, I notice that they have added two attorneys at \$3,000 each. I reserve a point of order upon that, and I would like to ask the chairman of the committee if there is any law authorizing that increase.

Mr. GILLETT. Which one is that?

Mr. MACON. On page 147, line 20. Last year we appropriated for 10 attorneys at \$3,000 each. This year we appropriated for 12, which seems to be an increase of two.

Mr. MANN. I may say to the gentleman from Arkansas that in the railroad law we passed at the last session we provided that the Attorney General and the Department of Justice should do certain work which heretofore they have not done, and which undoubtedly will require two attorneys, and I suspect more. Whether that is the reason for this increase in the number, of course I do not know.

Mr. MACON. Perhaps the chairman of the committee can state.

The CHAIRMAN. Does the gentleman in charge of the bill desire to be heard on the point of order?

Mr. GILLETT. No; I simply wish to say that as to the 12 assistants to whom the gentleman refers, that is not an increase. That is simply a consolidation. If he will look at the law of last year he will see that there were 10 in one place and two in another, and we have simply put them together as 12; but there is an increase of two assistants at \$2,000 each. Those are the ones that are new this year.

Mr. MACON. What is the necessity for them? Is there any special work for them to do?

Mr. GILLET. No; no special work, but a general increase of work, and this applies to the whole section. The gentleman is correct in observing that there are a number of changes, and a few changes in salary. All these changes are due almost entirely to the increased work which everyone knows is being prosecuted by the department in the trust cases.

The country demands it, Congress has placed it on the department, and there is a constantly increasing call for work in the department. To accomplish it either the work will have to be neglected or he will have to have some assistance. The work in the Attorney General's department is growing as much as in any other department of the Government.

Mr. MACON. If the gentleman will allow me, I desire to say that if he thinks that by the increase of the two additional attorneys it will prevent such acts as occurred in New York last year, where the district attorney resigned a salary of \$10,000 and then prosecuted the same work for the Government as special counsel for \$50,000, I certainly will not object to this increase of officers.

Mr. GILLET. I do not want to get into a political discussion with the gentleman from Arkansas, and therefore I will ignore that remark, because I think he will be more likely to yield if I say nothing about it. I can not guarantee anything being done, but what I do believe and what I want to impress upon the gentleman from Arkansas is that it is necessary for the full performance of the duties of the department that this increase should be made. If we take it away, we are responsible, and not he, if he fails to perform the work that is put upon his shoulders.

Mr. MACON. I suppose the department recommended this additional force?

Mr. GILLET. Yes; and we did not give the department all that it asked for; but we did pretty nearly, because we felt convinced that it was necessary. The gentleman from Arkansas is a lawyer, and he knows that it is necessary to have men of good capacity to perform this work. The wonder is that they get them at the price that they do pay.

Mr. MACON. I realize that, but the thing I complain of is that we appropriate for salaries of such attorneys and assistants as the department asks for, and then it promptly proceeds to pay exorbitant salaries to special counsel to do their work.

Mr. GILLET. If we do not appropriate here, they have to go outside and employ counsel, and in some cases the amount paid may be exorbitant and others not. Certainly what you have to pay an outside attorney is exorbitant compared with what you pay these men.

Mr. MACON. Mr. Chairman, with the hope that this will in some way relieve the situation in the matter of appointing special attorneys at high prices, I am not going to make the point of order against the two Assistant Attorneys General, at \$2,000 each, but I will against the increases which I indicated a moment ago.

Mr. MANN. Before the gentleman makes the point of order—

Mr. MACON. I will reserve it.

Mr. MANN. Does not the gentleman think that it would be advisable to permit the Department of Justice to have Assistant Attorneys General who will remain there for a time instead of employing outside counsel under a lump-sum appropriation which Congress made? Gentlemen will remember that a few years ago this House, in a fit of hysteria, although it may have been a wise movement, appropriated one-half a million dollars in a lump sum for the prosecution of trusts, and so forth, which amount could be paid in the main to counsel outside the Department of Justice.

I do not know whether that has already been exhausted or not; for years it was continued, and it has been added to. Now, it seems to me that it is far wiser for the Government to maintain in the Department of Justice lawyers of ability and experience at salaries which will keep them there than it is to pay some counsel outside an exorbitant or large salary, much greater than would keep the number of assistants probably of equal ability in the department itself.

I understand that it is the desire of the present Attorney General to get his office in such working shape that it will be possible and practicable for the office of the Department of Justice, with its assistants, to take care of the most of these cases, instead of being forced to go outside and employ counsel and pay them out of the lump-sum appropriations at a much higher rate.

I do not know the gentlemen who are involved in this increase, but an increase for an attorney from \$2,500 to \$3,000 is not a very large increase, and it is perfectly patent, I think, to us all, if you take a young attorney in the department at \$2,000 salary or such a matter, and he proves his ability, he will not

stay there at that salary, nor will he stay at a salary of \$2,500, nor will he stay at all at these low salaries, unless he gets a little increase or unless there is a chance for some of them to get an increase.

It is quite different from employing one of the ordinary administrative officers of the Government. Everyone knows that an attorney who has made good in the Department of Justice can at once step out and receive higher pay outside from some corporation or even from private practice, where the salaries are small, and when that is done the tendency is, unless there is some increase, to leave in the Department of Justice the men of mediocre ability instead of leaving those of ability after we have trained them and they have proven their fitness in the service of the Government. I hope that the gentleman from Arkansas in those cases in the Department of Justice, where we know we ought to have good lawyers to meet the men with whom they come in contact on the outside, will not insist upon his point of order. We ought to be able to say to them, "We offer you some inducements to remain." It is not like an administrative office, where, perhaps, you will keep the same man whether you pay him \$2,500 or \$3,000 a year; or, if you lose the man, you can put another man equally good in his place. That is not true as to lawyers.

Mr. GILLET. Mr. Chairman, to follow up what the gentleman has so admirably said in a general way, may I be specific in two cases here?

Mr. MACON. Mr. Chairman, I desire to follow the gentleman up a little in a general way. [Laughter.] Mr. Chairman, in reply to what the gentleman from Illinois [Mr. MANN] has said, I will state that I ordinarily court his advice and appreciate his counsel upon questions of legislation very much, but in this instance, if I had not been disposed to make the point of order before he made his speech I certainly would make it now, and hence it becomes necessary for me to explain my reason therefor. If the argument presented by the gentleman from Illinois were to control in this matter there would be a regular holdup game engaged in by the attorneys in the employ of the Government in the matter of having their salaries increased, for all they would have to do would be to threaten to resign if their salaries were not increased. In that way the Government would be held up and forced to increase the salaries of its attorneys and other officers. If the argument the gentleman presents was followed in matters of this kind that is just what would result. The same argument has been made on the floor as to engineers in the different branches of the Government, as to the keepers of parks, and I might say the foremen and the clerks in almost every branch of the Government. They threaten that if we do not increase their salaries they will quit the service of the Government. I said the other day, and I think it will bear repeating because of the truthfulness of the statement, that in my judgment there is not a single position connected with the service of the Government, from the President down, where some one can not be found to fill it just as well as it is filled by those who are to-day performing the duties pertaining to them.

We can find dozens of them who are knocking at the door of every office in the whole land, eagerly asking for admittance. They are importuning everybody to aid them to get these places, and there are others who are continually insisting that Congress create new places in order that they can get them. It will not do, under any circumstances, for us to adopt the policy here of allowing the Government to be intimidated by its employees, who may say if we do not increase their salaries they are going to quit. The first thing we know, we would have an organized strike on the part of the employees of the Government, and I am opposed to strikes anywhere, and I am not going to allow a policy of that kind to be inaugurated in this Government if it is within my power to prevent it.

Mr. CULLOP. Is it not true that instead of men quitting their jobs, there is an army of applicants for each and every appointment to be made?

Mr. MACON. In reply I will say that I have just stated that there were dozens knocking at the door of every place that this Government has to give—even the places that we occupy on the floor of this House. [Laughter.] I have heard Members of Congress say that their salaries ought to be increased. Why, there are more men ready to take our places at the present salary than you could count from now until night, and then you would not have the full number. As to the attorneys in the Department of Justice, I believe we can pick out some lame ducks here and there, who would be glad to take their places at the same salary if they decide to resign. [Laughter.]

Mr. FOSTER of Illinois. And the gentleman is not going to resign, I take it.

Mr. MACON. No; I am satisfied with my salary.

Mr. BUTLER. Did the gentleman say that there were only one dozen applicants who were insisting on his place? He is very fortunate if he has only one dozen after him. I congratulate the gentleman.

Mr. MACON. Oh, I said more than you could count from now until nighttime. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. Does the gentleman in charge of the bill desire to be heard further?

Mr. GILLETT. Mr. Chairman, I should like to inquire just what the points of order were.

The CHAIRMAN. The Clerk will report the points of order.

The Clerk read as follows:

Page 148, lines 3 and 4, attorney in charge of titles, \$3,500; lines 5 and 6, chief clerk and ex officio superintendent of the buildings, \$3,000—

Mr. GILLETT. Mr. Chairman, I move to amend in the first place, attorney in charge of titles, \$3,500—

The CHAIRMAN. One moment; the Chair has not ruled. The increase indicated in the point of order apparently not being authorized by existing law, the point of order is sustained.

Mr. GILLETT. Mr. Chairman, I move to amend in place of "attorney in charge of titles, \$3,500," to make the amount "\$2,700," which is the present rate.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 148, after the word "each," in line 3, insert "attorney in charge of titles, \$2,700."

The question was taken, and the amendment was agreed to.

Mr. GILLETT. I now wish to offer an amendment in line 5, in place of chief clerk and ex officio superintendent of the buildings, \$3,000, to strike out "\$3,000" and make it "\$2,500," which is the present salary.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 148, line 5, after the word "dollars" insert "chief clerk and ex officio superintendent of the buildings, \$2,500."

The question was taken, and the amendment was agreed to.

Mr. GILLETT. Mr. Chairman, which is the next one, line 15?

Mr. MACON. Superintendent of prisons, \$4,000; the present salary is \$3,000.

Mr. GILLETT. I move to insert "superintendent of prisons, \$3,000."

Mr. AUSTIN. Mr. Chairman, I did not understand the point of order was made against the superintendent of prisons.

Mr. MACON. I reserved points of order against the whole paragraph.

Mr. AUSTIN. I would like to be heard on that, and I would ask the gentleman from Arkansas to withhold his point of order.

The CHAIRMAN. The amendment offered by the gentleman from Massachusetts is still pending, which the Clerk will report.

The Clerk read as follows:

Line 15, after the word "dollars," insert "superintendent of prisons, \$3,000."

Mr. AUSTIN. Mr. Chairman, I ask the gentleman from Arkansas—

Mr. MACON. You can discuss the amendment.

Mr. AUSTIN. I move to strike out the last word.

Mr. MACON. The amendment is pending, and the gentleman can discuss the amendment.

Mr. AUSTIN. Mr. Chairman, I wish to be heard. I do not care to be cut off in this way. When the gentleman from Arkansas originally made his point of order against various increases in this paragraph I followed him pretty closely, but I did not notice that he specifically pointed out his objection to this increase in the salary of the superintendent of prisons from \$3,000 to \$4,000. Had I known his purpose was later to insist upon this increase going out on a point of order, I should have asked for an opportunity to have made an explanation, with a view of convincing him that this increase had merit in it and should be retained in the bill. If he will give me his kind attention now, I will be very glad—

Mr. MACON. I am listening to the gentleman.

Mr. AUSTIN (continuing). To say something in reference to it. Mr. Chairman, I was connected with the Department of Justice for eight years, and hence had a splendid opportunity to become personally acquainted with the present occupant of this position, Mr. Robert V. Ladow. My duties brought me constantly in contact with him, and since my election to Congress I have visited that department not only on official business, but otherwise, and I know of my own personal knowledge that his duties have largely increased without any increase in compensation. He is at the head of a bureau of the Depart-

ment of Justice that not only requires and demands of him a great amount of additional duties and the extension of office hours, but his official duties carry him all over the country in connection with his work as superintendent of the three Federal prisons in the United States.

We have been, as all know, constructing these prisons, the last to be erected in the city of Atlanta, and the amount of public funds expended during a year runs to a quarter of a million dollars. Also there are inspections of these Federal prisons located, not only in the far South, but on the Pacific slope, and in addition the Congress at its last session inaugurated a national parole system and made the superintendent of prisons the chairman of the parole boards. Now, that brought to and entailed with it additional duties and responsibilities on the superintendent of prisons; but he is not only the chairman of the national parole boards at the three Federal prisons, but he is also the chairman ex officio of every parole board in the United States in States where Federal prisoners are confined. I know from a personal investigation of his work in the Department of Justice that these new duties and responsibilities have very largely increased his work. I think in all fairness that here is a case that should and, I believe, will appeal to the fair sense of justice of the gentleman from Arkansas and cause him to withdraw his point of order.

The salary of the superintendent of prisons now under existing law is \$3,000. The salary of the wardens of the prisons, subordinate officials of his at Atlanta and the other prisons, is \$4,000 a year. The members of the parole board of the State of New York receive a larger fixed annual salary in connection with their duties as members of the parole board in that State than this superintendent of national prisons does.

Mr. MACON. Allow me to say right there, that if we were to follow the line of New York in the matter of fixing salaries, we would bankrupt this Government. Their circuit judges, I believe, are paid about \$17,000 a year.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. AUSTIN] has expired.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AUSTIN. Now, I am not basing my appeal to the gentleman from Arkansas on the approval of the salary list of the State of New York, but only mentioned it in this connection just to show the comparison of the duties of this Federal official with those of a State official. The duties of the superintendent of prisons carry him all over the country, not only on the national parole boards at three Federal prisons, but to every State board where Federal prisoners are confined. I strongly sympathize with the attempt of the gentleman from Arkansas to hold down these appropriations and fighting any proposition that simply means an increase of a man's salary, without showing us that in increasing his salary is based the fact that by new and additional legislation we have largely extended his work and his responsibilities. And I appeal to him in this case to make an exception. If I did not know it was based upon merit and the superintendent earned and deserved it, I would not do so.

Mr. MACON. Mr. Chairman, I rise for the purpose of supporting the amendment offered by the gentleman from Massachusetts [Mr. GILLETT], and in doing so I will say that I think the gentleman's salary ought to be put back to where it was last year, namely, to \$3,000. I have made some investigation about these matters, and I have found that wherever the duties of any of the officials of the Government, whether Congressmen or representing it in some other capacity, increase, the Government furnishes them with some assistance; and I apprehend that if in this particular case this gentleman's duties have been extended and widened that some of those that he performed before they were extended and widened so that he had to leave the city of Washington are now being performed by somebody else, or, if not, they are being sadly neglected. I also know that while this gentleman is traveling from place to place he gets a per diem of something like \$4 per day to defray his expenses, and he is out nothing by reason of that.

Mr. AUSTIN. If the gentleman will permit me, he really draws his actual expenses.

Mr. MACON. Put it that way. If they are \$10, why he gets \$10 a day. So I do not think he is really hurt by increasing his duties along that line where the Government pays his board when he leaves the city of Washington, and he has to pay it when he is here. I insist on the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

The question was taken, and the amendment was agreed to.

Mr. GILLETT. Mr. Chairman, I move to amend, in line 18, by inserting the words "three thousand dollars" in the Division of Investigation.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 148, after line 17, insert "Chief of Division of Investigation, \$3,000."

The question was taken, and the amendment was agreed to.

Mr. MACON. On line 24, librarian, \$1,800. The present salary is \$1,600. I make the point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. GILLETT. I move to amend by inserting, instead of "eighteen," "sixteen."

The Clerk read as follows:

Page 148, line 23, after "each," insert "librarian, \$1,600."

The question was taken, and the amendment was agreed to.

Mr. BENNET of New York. I move to strike out the last word. Mr. Chairman, reference has been made to the employment of special counsel in connection with the office of the district attorney under the Department of Justice. Inasmuch as reference has been made to such employment, I desire to state a word or two in regard to the practice in the southern district of New York. The present district attorney is Henry A. Wise, at an annual salary of \$10,000. There is not one single special attorney employed by him outside of his own office force—of men employed at salaries authorized by law or by the Department.

Mr. FITZGERALD. Are they not employed by the department and working over there?

Mr. BENNET of New York. There is one special attorney general, so far as I am informed, working there in connection with this action which has been commenced against the so-called Steamship Trust, and some other matters.

Mr. FITZGERALD. How about the Sugar Trust cases?

Mr. BENNET of New York. There is no special counsel working on those cases at the present time.

Mr. FITZGERALD. Not since the election.

Mr. BENNET of New York. Not since before the election some time. It has been the practice of Mr. Wise to do the work through his own office, and out of 490 cases presented to the courts and juries in the southern district of New York, up to a recent date, there have been but 18 acquittals, a record for efficiency which I presume can not be surpassed, at least, in any district in the country.

I have no intention to go into a part of the issues of the recent campaign in New York. They were thoroughly discussed in our State. So far as the gentleman to whom reference has been made is concerned, he left a very lucrative law practice to accept the position of district attorney at a salary very much smaller than the amount he was making in his private practice. He held it for four years at that small salary, and retired from it voluntarily, as he had the right to do.

After his retirement he was retained by the Department of Justice, which fixed his fees, without suggestion on his part, and the work which he did resulted not only in conviction of the men concerned in the sugar frauds, but in the collection for the Government of a sum which, as I now recollect, was about \$3,000,000. Congress had, time and again, by emphatic action, directed the Department of Justice to retain special counsel in cases of that character. It provided a fund to be used for that purpose, so as to have special counsel in cases of that character which required it. I am quite confident that this House would have criticized him if he had not followed out that course. The efforts of the gentleman mentioned were efficient and successful, successful beyond the anticipation of anyone at the time he commenced them. It seems to me that where the employment was at the request of the Attorney General, where the work was successful, where the fee was fixed by the Attorney General, without a request for a particular fee upon the part of that gentleman, and fixed under a statute passed and reiterated, I think, three times since I have been in the membership of this House, that no cause for criticism exists, and least of all should criticism come from this House, which not only first appropriated \$250,000, but afterwards by practically a unanimous vote, increased that appropriation in reference to trusts from \$250,000 to \$500,000.

Mr. FITZGERALD. Mr. Chairman, I believe that all the facts should be stated in connection with the district attorney's office of the southern district of New York and the gentleman to whom my colleague has referred. What was done in connection with his appointment in that office, in my opinion, was justly and severely criticized.

It is said he left a highly remunerative practice to accept a position as district attorney for the southern district of New

York at a greatly reduced compensation from what he was able to earn in his private practice. He served as district attorney for four years. During his service in that office, because of his connection with certain cases then pending, he acquired information of peculiar value to the Government and of peculiar value to the person who was to represent the Government. Then he retired to private practice, and as he had had practically entire control of those cases the Government was somewhat at his mercy and it retained him as special counsel to continue the cases upon which he had been engaged as district attorney. If my recollection is correct, he received for about 18 months' work \$50,000.

The same thing happened in connection with a gentleman from the State of Ohio who was discussed upon this floor in the last session, and the same thing happened in connection with a gentleman who attained some fame in the far West. I consider it a question of doubtful propriety for a man knowingly to accept an office at a compensation much less than he knows he can earn in his private practice, and after the litigation in which he is then engaged reaches a point where he alone is the one man the Government can utilize to continue it retire from the office and get a special retainer and practically devote all his time to the same work, but at largely increased compensation fixed by the Attorney General. I do not believe that the ethics of such conduct meets the approval of the American people.

Mr. CULLOP. Did anybody challenge his right to appear on the other side of the same case after he retired?

Mr. FITZGERALD. He did not appear on the other side. He was retained by the Government, under a private arrangement as to his compensation, to continue the work that he had been engaged in while district attorney. In discharging the duties of his position he had acquired information and had made research, and had equipped himself for the prosecution of those cases in a manner that made him the one man eminently fitted to do that work. I say that a high sense of public duty would have urged him to have continued the great sacrifice which it is now said he made when he gladly accepted the office, and would have impelled him to continue his services in his position as district attorney, and not have separated himself from the pay roll, immediately to be retained at an increased compensation. Those are the abuses of which complaint is made, and I believe justly. There should be something that would so operate upon such officials as to prevent them taking advantage of the Government and holding it up for increased compensation under similar circumstances.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Office of the Solicitor of the Department of Commerce and Labor: Solicitor of the Department of Commerce and Labor, \$5,000; assistant solicitor, \$3,000; 3 clerks of class 4; 2 clerks of class 3; 3 clerks of class 2; 3 clerks of class 1; messenger; in all, \$25,240.

Mr. MACON. Mr. Chairman, I reserve a point of order against the language on page 151, lines 3 and 4:

Assistant solicitor, \$3,000.

It is new legislation, the creation of a new office.

The CHAIRMAN. Does the gentleman reserve or make the point of order?

Mr. MACON. I reserve the point of order, to give the gentleman in charge of the bill an opportunity to explain the necessity for the creation of the position.

Mr. GRAFF. The present office is chief clerk and law clerk at a salary of \$2,250. The new designation is assistant solicitor at \$3,000. This is the same designation and the same office which is in existence now under the law in the office of the Solicitor of the Department of the Treasury. It is proposed to conform to the same organization under the Solicitor of the Department of Commerce and Labor, and it was very strongly urged.

Mr. MACON. The increase is \$500, is it?

Mr. GRAFF. The present salary is \$2,250.

Mr. MACON. Mr. Chairman, I make a point of order against the increase.

The CHAIRMAN. The point of order is sustained.

Mr. GRAFF. I offer an amendment, inserting "\$2,250."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert the words "assistant solicitor, \$2,250."

The amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF COMMERCE AND LABOR.

Office of the Secretary: Secretary of Commerce and Labor, \$12,000; 2 Assistant Secretaries, at \$5,000 each; private secretary to the Secretary, \$2,500; confidential clerk to the Secretary, \$1,800; private secretary to Assistant Secretary, \$2,100; chief clerk and superintendent,

\$3,000; disbursing clerk, \$3,000; Chief of Appointment Division, \$2,500; Chief, Division of Publications, \$2,500; Chief, Division of Supplies, \$2,100; 10 clerks of class 4; 11 clerks of class 3; 13 clerks of class 2; 12 clerks of class 1; 11 clerks, at \$1,000 each (including 1 transferred from Bureau of Labor); 6 clerks, at \$900 each; 2 telephone operators, at \$720 each; messenger to the Secretary, \$1,000; 5 messengers; 10 assistant messengers (including 1 transferred from Bureau of Manufactures); 7 messenger boys, at \$480 each; engineer, \$1,000; 3 skilled laborers, at \$840 each; 2 conductors of elevators, at \$720 each; 2 firemen, at \$660 each; 18 laborers (including transfers of 1 from Bureau of Manufactures, 1 from Bureau of Lighthouses, and 1 from Bureau of Statistics, and 6 hostlers, at \$660, omitted); 5 laborers, at \$480 each (including 2 at \$660 each from Bureau of Labor, and 1 at \$660 from Bureau of Manufactures dropped); cabinetmaker, \$1,000; carpenter, \$900; chief watchman, \$900; 11 watchmen (including 3 transferred from Bureau of Labor); 18 charwomen (including 3 transferred from Bureau of Labor); in all, \$178,900.

Mr. MACON. Mr. Chairman, I reserve a point of order on the language to be found on page 151, line 10, and ending on line 11. It seems that they have created a new assistant secretary. Last year they appropriated for one at \$5,000, and this year they appropriate for two at \$5,000 each. That seems to be the creation of a new assistant secretary at a salary of \$5,000. I make the point of order against the creation of a new office.

Mr. MANN. Is that the only point of order?

Mr. MACON. No.

Mr. MANN. Does the gentleman make or reserve the point of order?

Mr. MACON. I will reserve the point of order.

Mr. MANN. Mr. Chairman, I quite agree with the gentleman from Arkansas that a point of order ought to be made to this provision. I have the highest regard for the Secretary of Commerce and Labor. Mr. Nagel is one of the ablest men who has ever been connected with the Government, and he has a very capable assistant secretary there now. They desire to have another assistant secretary. It seems to me that they do not need another if they will change somewhat the method of doing business in that office. While it may seem superfluous for me to offer advice to the Secretary of Commerce and Labor as to how he shall conduct his office, it is pertinent in view of the present proposition.

In some departments of the Government correspondence can be carried on by the chiefs of bureaus or heads of divisions. I had charge of the bill creating the Department of Commerce and Labor when it passed the House. We transferred into the new department various activities of the Government, including that of the Labor Department, the Lighthouse Service, and Immigration Service, and various other services of the Government. Now, if you have any correspondence with these different services of the Government it comes through the Assistant Secretary of the Department of Commerce and Labor. Necessarily he knows but little if he knows anything about it. He can know nothing except as he is informed by a subordinate officer who may be in another building. Recently I received some proper communication from that department in reference to the Lighthouse Service signed by the Assistant Secretary of Commerce and Labor, a very efficient gentleman, and yet there is no reason that I can see why in carrying on correspondence with that department of the Lighthouse Service we should not correspond with the chief of the bureau on ordinary matters.

Mr. KEIFER. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. KEIFER. Is it not the practice for these communications to be prepared by the chiefs of the bureaus and then submitted through the Secretary, that has charge of the whole thing? That is so in the Treasury Department.

Mr. MANN. The gentleman knows that in the Treasury Department the Assistant Secretary of the Treasury in charge of customs does not send his letters through the Secretary of the Treasury. They are signed by the Assistant Secretary.

Mr. KEIFER. They may be signed in that way and yet sent to the Secretary. The communication must go to the head of the department and have the approval as to whether it shall be sent at all.

Mr. MANN. That is true about a large number of the offices; but take the Treasury Department, the gentleman can receive correspondence, or formerly could, I do not know that he can now, through the Chief of the Revenue-Cutter Service, through the different bureaus of other services, and that is the proper way for us to receive that correspondence. That is the way, the ideal way, in which it is done by the Department of Agriculture. The gentleman will receive communications, for instance, from the Chief of the Bureau of Plant Industry and other divisions of the Agricultural Department. They do not require an assistant secretary there solely for the purpose of signing letters, and if this assistant secretaryship should be created it is practically solely for signing letters concerning which he can not be informed, except he gets his information from the officer who prepares it.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from Arkansas insist on the point of order?

Mr. MACON. I insist upon the point of order.

Mr. GRAFF. Mr. Chairman, will the gentleman withhold his point of order for a while?

Mr. MACON. Certainly.

Mr. GRAFF. Mr. Chairman, I am not certain, but I think that the President has issued an order to the effect that heads of bureaus are forbidden to give out any information except when approved by the Secretary of the department, who is head of the department, and while it may be permitted that heads of bureaus may sign the correspondence, yet that correspondence must be either authorized in advance or approved by the head of the department, under that order of the Executive. In this case I would like to ask the gentleman from Arkansas whether he has read in the hearings on this bill the testimony given by the Secretary of Commerce and Labor on this subject.

Mr. MACON. No; I have not.

Mr. GRAFF. He insists through quite extensive testimony on the subject that the present Assistant Secretary and the Secretary himself have been burdened with taking care of the appeals chiefly coming up from the bureaus having in charge the enforcement of the immigration laws and the Chinese-exclusion act—cases affecting deportation and the like—stating that there are some 10 or 15 cases of this kind coming up each day, and in some cases the record being quite voluminous.

Mr. MANN. My colleague from Illinois [Mr. GRAFF] is aware that these records are examined by the solicitor of the department, who practically passes upon them, and not the Secretary or the Assistant Secretary.

Mr. GRAFF. Mr. Nagel himself says that they do pass on these cases on appeal by giving them personal attention. On page 122 he says:

Those who are interested in the cases expect personal attention, when we have as many as 10, 15, and 20 records a day, and they require a great deal of time and receive, I think I might say, much more attention than is popularly believed.

Mr. MANN. They give them attention in a very casual degree I judge. They are passed upon first, or used to be, and ought to be by the solicitor of the department.

Mr. KAHN. Will the gentleman yield?

Mr. MANN. I have not the floor.

Mr. GRAFF. Then, in addition to that, he winds up on page 223 of the hearings, in reply to a question by Mr. GILLET, by stating that this proposed additional assistant secretary is necessary, according to his notions, chiefly for the purpose of taking the burden of the consideration of these appeal cases off the present Assistant Secretary and the Secretary himself.

Mr. KAHN. There is no doubt but that a large percentage of the cases that come up under the Chinese-exclusion laws are appealed to the Secretary, and I know from personal knowledge that the Secretary does pass upon nearly all of them.

Mr. BUTLER. Mr. Chairman, I have made some observation of this, and I would inquire if the Secretary does the work? The solicitor does the work, does he not?

Mr. KAHN. The solicitor does the work.

Mr. BUTLER. He is the gentleman to whom I have gone.

Mr. KAHN. The office of the Bureau of Immigration does the work originally, but in the final analysis the case invariably gets into the office of the Secretary himself, and the latter passes upon the case in the last instance.

Mr. MANN. There is no reason in the world why we should create an assistant secretary up there to pass upon this work when the solicitor is amply able to do it in the solicitor's office.

Mr. KAHN. Of course, I am not speaking—

Mr. MANN. Theoretically, the President of the United States passes upon applications for pardons, and of course passes upon every one of them represented to him—

Mr. KAHN. He does.

Mr. MANN. And yet, practically, we know he can not give personal consideration to the aspects of the case except as those aspects are ordinarily presented to him by the pardons attorney.

Mr. KAHN. Yet the pardons attorney recently told me that all of those cases that go to the President are really read by the President, and I dare say the same will be found to be the rule with the Chinese-exclusion cases.

Mr. MACON. Mr. Chairman, I notice under the head of the Department of Commerce and Labor that they have a great many clerks, and so on, with an increased appropriation of something over \$22,000, and I am inclined to think that they can find, out of that great number of clerks and assistants, somebody to help look over these matters without the assistance of an assistant secretary at \$5,000 a year, so I insist upon my point of order.

The CHAIRMAN. The increase of appropriation indicated in the point of order made by the gentleman from Arkansas is

clearly not authorized by existing law, and the point of order is sustained.

Mr. GRAFF. I understood the Chair to sustain the point of order.

The CHAIRMAN. The Chair sustained the point of order.

Mr. GRAFF. I move to insert "one assistant secretary, at \$5,000," in lieu of the portion of the bill which is stricken out on the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 151, line 10, after the word "dollars," insert "one assistant secretary, at \$5,000."

The question was taken, and the amendment was agreed to.

Mr. BENNET of New York. Mr. Chairman, I move to strike out the last word for the purpose of stating that I think the gentleman from Illinois is in error in reference to the way in which these immigration cases are passed upon. Coming from a city which receives nearly 80 per cent of the immigration that comes in, therefore I am familiar—

Mr. MANN. I beg the gentleman's pardon, I did not say how they are passed upon now. I said how they were passed upon formerly and how they ought to be passed up now. I do not know how they are passed upon now. I am very certain they ought to be examined by somebody in the office, but we ought not to create an assistant secretary to pass upon such matters.

Mr. BENNET of New York. I want to disagree with the gentleman from Illinois that the present method ought to be changed, so far as the assistant secretary is concerned. Each of these cases concerns the future of at least one individual and frequently of an entire family. They deserve the attention of some man high in official position, and they are receiving the attention to-day either of the Secretary himself or the Assistant Secretary.

The weak point in the Immigration Service is the board of special inquiry back at the port where the men, in my judgment, do not receive high enough pay to get the kind of men who ought to be there, and the Secretary and his assistant, exercising a discretion, also which the board of special inquiry has not, reverse substantially 40 per cent of the cases which come up to them. If it were not for the careful scrutiny given these cases, 40 per cent of the people who are detained would be sent back when, in the discretion or judgment of a high official, they ought to come in.

Mr. SABATH. May I ask the gentleman a question?

Mr. BENNET of New York. Certainly.

Mr. SABATH. Is not the reason that so many of these cases are reversed due to the fact that these boards are improperly selected and appointed?

Mr. BENNET of New York. I have just said the weak point of our system is the board of special inquiry, and the opinion of the Secretary and Assistant Secretary is needed. I know personally that the present Assistant Secretary, a highly capable young man and a fellow townsman of the gentleman from Illinois—

Mr. MANN. A very competent man, as I stated a while ago.

Mr. BENNET of New York (continuing). Is absolutely overburdened with the work.

Mr. MANN. If that be the case, why should he have the burden of signing or revising all communications which are taken over to him from the Chief of the Bureau of Navigation about navigation matters and from the Chief of the Bureau of Lighthouses about lighthouse matters, transferred over by messenger or mail at a considerable distance, because the offices are not in the same building, and have him examine and send out all those letters?

Mr. BENNET of New York. I will answer the gentleman in two ways, and if my defenses are inconsistent, it is allowable under the law of my State. In the first place, he does not sign all the letters that come from those places. I write to and receive replies from the head of the Bureau of Immigration and from Mr. Chamberlain, in the Bureau of Navigation, and that is about as far as I go in the Department of Commerce and Labor. I agree with the gentleman that he signs more letters than he ought to sign, but the reason, the gentleman will find, is in the Executive order of the President under date of November 26, 1909.

Mr. MANN. That could be changed to-morrow by another Executive order.

Mr. BENNET of New York. The Executive order compels him to do it.

Mr. MANN. If he is compelled to do it, how does the gentleman happen to get letters that do not conform to the order?

Mr. BENNET of New York. He is compelled to sign the letters that he does. I do not know what waiver has been made,

as the order permits in the cases where I receive answers. I do know that the Assistant Secretary is overburdened with work. It is a big department, as the gentleman knows, and an important one, with one assistant secretary. I think the War Department has one also.

Mr. MANN. There are only three departments in the Government that have more than one chief, and one is the Post Office Department, one is the Treasury Department, and one is the State Department. The Treasury Department needs them, and the two other departments are top heavy with such officials.

Mr. BENNET of New York. And, of course, the Attorney General, who has such assistants.

Mr. MANN. He is the head of the office. He has no assistants in the sense of one being an assistant secretary, but he ought to have in order to do the administrative work and to let him do the legal work.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET of New York. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BENNET of New York. There is no question in my mind that, competent as the Assistant Secretary is, and as competent as the Secretary is—because he is one of the best men in public life, in my judgment—the work of this department could be done more efficiently if there was another assistant head to take from the shoulders of the two that are there now some of the work which they do.

Mr. MANN. In my judgment, it could be done more economically and efficiently if they would quit directing letters to B Street and Louisiana Avenue or to B Street and Pennsylvania Avenue, to be transferred to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. That may be; and that may be referred to the President of the United States, who issued the order—

Mr. MANN. I do not think the President's order covers it at all. If it did, it ought to be revoked.

Mr. BENNET of New York. I agree with the gentleman that it ought to be revoked.

Mr. MANN. Mr. Chairman, last year I desired to have the opinion of one of the officials of a bureau in the Treasury Department before the Committee on Interstate and Foreign Commerce. I telephoned him and asked him to come to the committee. A little after he telephoned me that he had been to the Assistant Secretary, and he said to me: "I wish you would talk with the Assistant Secretary." I talked with that gentleman over the phone, and he said that the Secretary was not down that day and he did not know whether the Secretary wanted this official to come before my committee or not. I said: "I can settle that very quickly, because the House meets at 12 o'clock, and if he is not here at that time I will introduce a resolution directing him to appear at once, and I think I can get unanimous consent to pass it. If it gets to a point that a committee of the House can not get the attendance of one of the officers of the Government to give a committee information without first praying humbly on your knees to the Secretary of a department, I want to know it." The gentleman appeared, I may say.

Mr. BENNET of New York. That was covered, though, I will say to the gentleman, absolutely by the Executive order to which I have referred.

Mr. MANN. Then, the sooner we do not ratify it the better. That is the reason I am objecting to this provision which undertakes to ratify it.

Mr. BENNET of New York. This does not endeavor to ratify it in any way. It simply gives needed relief to the department.

Mr. MANN. I do not think the President's order covers that at all.

Mr. BENNET of New York. Mr. Chairman, I ask unanimous consent to insert the President's order in the Record, so that the House can judge for itself.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert the President's order, referred to, in the Record. Is there objection?

There was no objection.

The following is the order referred to:

EXECUTIVE ORDER.

It is hereby ordered that no bureau, office, or division chief, or subordinate in any department of the Government, and no officer of the Army or Navy or Marine Corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any Member of Congress for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such per-

son respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

WM. H. TAFT.

THE WHITE HOUSE, November 26, 1909.

The Clerk read as follows:

Bureau of Corporations: Commissioner of Corporations, \$5,000; deputy commissioner, \$3,500; chief clerk, \$2,500; clerk to commissioner, \$1,800; 4 clerks of class 4; 4 clerks of class 3; 6 clerks of class 2; 10 clerks of class 1; 15 clerks, at \$1,000 each; 16 copyists; messenger, assistant messenger; 3 messenger boys, at \$480 each; in all, \$69,200.

Mr. GILLETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 153, line 11, strike out the word "sixty-nine" and insert in lieu thereof the word "seventy-nine."

Mr. GILLETT. This is merely to correct an error in printing. The question was taken, and the amendment was agreed to.

Mr. GILLETT. Mr. Chairman, I would like now, lest I forget it hereafter, to ask unanimous consent that the Clerk correct the totals in the various paragraphs because of the amendments.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the Clerk may correct the totals at the end of the various paragraphs. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

For compensation and per diem, to be fixed by the Secretary of Commerce and Labor, of special attorneys, special examiners, and special agents, for the purpose of carrying on the work of said bureau, as provided by the act approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor," the per diem to be, subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe, in lieu of subsistence, at a rate not exceeding \$4 per day to each of said special attorneys, special examiners, and special agents, and also of other officers and employees in the Bureau of Corporations while absent from their homes on duty outside of the District of Columbia, and for their actual necessary traveling expenses, including necessary sleeping-car fares; in all, \$175,000.

Mr. FOSTER of Illinois. Mr. Chairman, I observe in this paragraph the provision for per diem is \$4, and a little further on the per diem, on page 155, is \$3. I would like to inquire of the gentleman why there is a difference of a dollar in these two classes.

Mr. GILLETT. Well, because they are different classes of employees, and they are all traveling in places where expenses differ, the former being in the large cities and the latter being in the smaller towns. We are following the precedents of previous bills. I understand that was the reason it was originally so fixed. I do not suppose it is exact, but we jumped at it as best we could.

Mr. FOSTER of Illinois. How many of these special agents are employed?

Mr. GILLETT. I do not remember how many.

Mr. MANN. These are the agents connected, in the main, with the Bureau of Corporations, who make these investigations in connection with orders by Congress. The last one, I think, was on river and harbor improvements, or something of that sort.

Mr. FOSTER of Illinois. These special agents do that work?

Mr. MANN. These people that are covered in this appropriation do all that special investigation work.

Mr. COX of Indiana. How much of this sum was expended for per diem?

Mr. MANN. I do not remember that. I remember this provision because I had it put in.

Mr. FOSTER of Illinois. May I inquire from my colleague why the provision of this kind, on page 155, is different? Is there a difference in the character of the work of these agents?

Mr. MANN. Well, there is a very great difference. The men who go into these investigations under the first item go into cities like New York, Chicago, and elsewhere where they are sent to make investigations. Of course they are required to pay a much higher rate for hotel accommodations than in labor districts. Others go into districts where \$3 a day is much more, so far as maintenance is concerned, probably, than \$4. The usual custom of the Government is to pay men who go into the small country districts, where there are \$2.50 hotels, \$3 a day, but where they are required to go to the city districts \$4 a day, and in some cases \$4.50 a day; that is, this class of men employed in these investigations. That is what they do.

Mr. COX of Indiana. I move to strike out the last word. I never have been satisfied, myself, in reference to this question of per diem in our Post Office bill, giving certain classes of employees \$4 and other classes \$3. In fact, I have never been very highly struck on that per diem business. I think the whole

thing is wrong. I think they ought to be allowed, if anything at all, their actual expenses. I base my objection to per diem on the ground that it is an indirect way of increasing salaries, of which I do not approve.

Mr. MANN. Well, I may say whether it is per diem or actually expenses—and I am not defending the per diem proposition—the man who is away all the time and his actual expenses are paid, so far as his living is concerned, that is, paid by the Government, whereas if he lives at home he pays this money out of his own salary.

Mr. COX of Indiana. Now, there may be an increase of salary even if these individual expenses be paid, but I do not think there would be such a motive or incentive on the part of any individual to increase his salary who was compelled to pay out simply his actual expenses, as there is where the man is paid per diem.

I presume that these fellows who are drawing \$4 a day actually consume it by stopping at first-class, \$4-a-day hotels; but it is easily placing within reach of this class of men an opportunity to stop at \$2-a-day hotels, and report to their Government that they have expended \$4, and to that extent increase their salaries. I think the whole system is entirely wrong.

Mr. FOSTER of Illinois. Is it not a fact that assistant United States marshals, who travel from place to place in the discharge of their duties, are limited to a very small amount, and in many instances the Government compels them to put in a bill for "meals, 25 cents," and for taking a prisoner with them?

Mr. MANN. They get mileage.

Mr. FOSTER of Illinois. They get mileage, but they get expenses, too.

Mr. MANN. I gave a case last year where one marshal made a thousand or fifteen hundred dollars in one case.

Mr. FOSTER of Illinois. They get mileage in case they get their man, but they do not get mileage when they do not get him.

Mr. COX of Indiana. I want to ask somebody who knows, for some information about this. Can the gentleman from Illinois [Mr. MANN] or the gentleman in charge of this bill [Mr. GILLETT] inform the committee of the amount of this money that was appropriated last year, that was paid out for per diem, and the amount paid out for compensation?

Mr. GILLETT. We did not inquire this year. My recollection is that it was about half and half.

Mr. COX of Indiana. That is, about half paid out for per diem and about half for compensation?

Mr. GILLETT. That is my recollection. I may be wrong. We have not looked it up this year.

Mr. COX of Indiana. These gentlemen who get this per diem, I presume, are required to report to the Secretary of Commerce and Labor.

Mr. GILLETT. Oh, yes; it is all reported. I think there is probably more for compensation than for per diem.

Mr. MANN. There would be a good deal more for compensation than for per diem, because the per diem could not exceed \$1,200 a year.

Mr. COX of Indiana. In addition to the per diem I presume their railroad and sleeping-car fares are also paid by the Government.

Mr. GILLETT. Yes.

Mr. COX of Indiana. And this per diem in addition is simply for board?

Mr. MANN. Yes.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Bureau of Lighthouses: Commissioner, \$5,000; deputy commissioner, \$4,000; chief constructing engineers, \$4,000; superintendent of naval construction, \$3,000; chief clerk, \$2,400; clerk, \$2,000; 2 clerks of class 4; clerk of class 3; 2 clerks of class 2; 6 clerks of class 1; 5 clerks, at \$1,000 each; 7 clerks, at \$900 each; clerk, \$840; clerk, \$720; messenger; assistant messenger; 2 messenger boys, at \$480 each; assistant engineer, \$3,000; assistant engineer, \$2,400; assistant engineer, \$2,100; draftsman, \$1,800; draftsman, \$1,560; draftsman, \$1,440; draftsman, \$1,200; in all, \$64,480.

Mr. MANN. I move to strike out the last word. I should like to ask the gentleman whether he has before his committee information as to how much saving there is likely to be in the estimates by reason of the reorganization of the Lighthouse Service. Of course there is an increase in this paragraph because certain officials are carried here who were formerly paid out of lump-sum appropriations.

Mr. BARTLETT of Georgia. I did not catch the gentleman's question.

Mr. MANN. I asked the gentleman in charge of the bill if he could inform the House, from information before his com-

mittee, how much was likely to be saved to the Government by reason of the reorganization of the Lighthouse Service.

Mr. BARTLETT of Georgia. I have some information on this subject which has come to me by reason of my membership of the Committee on Interstate and Foreign Commerce of the House, and I have also some information on the subject obtained from the deputy commissioner.

Mr. MANN. I know the gentleman from Georgia is very well informed on this subject.

Mr. BARTLETT of Georgia. I am informed by the deputy commissioner, Mr. Conover, that since the passage of this act and the organization of the bureau under it, in the six months in which it has been in operation there has been saved to the Government over \$400,000, or will be if the proposed organization provided for in this bill is carried through. That is what I was informed some weeks ago. I have the testimony of the commissioner, Mr. Putnam, before the Appropriation Committee, in my hand, and while the exact amount does not distinctly appear, it does show a very great saving to the Government. I have been to the office of the deputy commissioner and gone over the figures with him, and that is my understanding from him that this new bureau has saved that amount of money to the Government.

Mr. MANN. Mr. Chairman, it is not often that I undertake to take any credit to myself—

Mr. BARTLETT of Georgia. I want the gentleman to do so, because he is entitled to it.

Mr. MANN. But this is an illustration of what might well be done in a good many branches of the service. They have not reached all of the economies yet in this service.

Mr. BARTLETT of Georgia. Not by any means.

Mr. MANN. But by the reorganization, so far, it is estimated, as I understand from the gentleman from Georgia, that there has been a saving of \$400,000 in six months. That is a large saving by reason of that reorganization, which means in the main not only the reorganization of the system, but the installation of a very competent head. There are some other branches of the service in which, if they could be reorganized by putting somebody else at the head of some of the divisions, it would be of great benefit to the Government. The bill for the reorganization of the Lighthouse Service met with substantial approval in this body, but was seriously criticized by some officials of the Government outside the service, and it remained for our committee in reporting the bill to do it, although even the Secretary of the department himself was of the opinion that the objection to the bill from other sources would prove so great that it would be impossible to get the legislation. But with the aid of the gentleman from Georgia and other members of our committee and of the House we did secure this legislation by some parliamentary proceedings that were fair, and it resulted in this reorganization, where they say we have now already saved nearly half a million dollars and where we are likely to save in the future a larger amount, either in cutting off the amount heretofore appropriated or in keeping down the amount which would otherwise be appropriated by reason of the increase in the service.

[The time of Mr. MANN having expired, by unanimous consent his time was extended five minutes.]

Mr. BARTLETT of Georgia. If the gentleman will pardon me, in his time, I will say that, being familiar with this legislation and following the lead of the gentleman from Illinois and aiding him all I could in making the reforms, I think he is justified in feeling great pride and extreme gratification in what he has done; and especially I want to say to the gentleman that all of us ought to feel gratified that we succeeded in providing for a deputy commissioner of the Lighthouse Board, and that the President was fortunate in filling the place with such an efficient, capable, and experienced man as we now have there; one who, by reason of his experience in this branch of the service of the Government, has been and will be of great service in accomplishing the reforms intended by this reorganization act.

I want to call the gentleman's attention to the fact that the bill which we passed is not what it ought to be in reference to the inspectors of the lighthouse districts, because it still permits Army and naval officers to fill these positions. That is done at great expense to the Government, whereas if we could by some means provide and regulate the inspectors of the lighthouse districts and grade their salaries according to the work they may do in the various districts, it would save the Government a large amount of money and dispense with the services of these high-paid officers of the Army and Navy.

Mr. MANN. Mr. Chairman, I agree with the gentleman from Georgia. Of course, the law that was passed will accomplish that in a short time.

Mr. BARTLETT of Georgia. The quicker it is done the more money the Government will save.

Mr. MANN. I apprehend that when we reach the appropriation that covers that, which will be in the sundry civil bill, that if they do not appropriate for it they will be willing to accept an amendment authorizing a general appropriation for the Lighthouse Service, to be expended as far as is necessary to pay civilian inspectors.

Mr. FOSTER of Illinois. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FOSTER of Illinois. I am gratified at the statement made of the great saving of money, notwithstanding the opposition, as the gentleman said, by the head of the department—

Mr. MANN. We did not have any opposition from the head of the department.

Mr. FOSTER of Illinois. Well, opposition from outside parties. Now, what has the gentleman to say about the improvement of the service under the new deal?

Mr. MANN. I think it is generally admitted that the service is better now than it was before.

Mr. BARTLETT of Georgia. Mr. Chairman, I want to say this with reference to this new bureau: There was some considerable opposition to its establishment, growing out of the fact that for years it had been under the management and control of Naval and Army officers. It was a reform that was needed, and one that, in my judgment, will very early demonstrate the wisdom of the author of the bill, the gentleman from Illinois [Mr. MANN], in drafting it, and the wisdom of Congress in enacting that sort of legislation. The bill as it originally passed the House did not provide for a deputy commissioner. As the bill came back from the committee of conference, of which I was a member, it contained a provision for a deputy commissioner—a provision for which I am somewhat responsible. Anyone who will investigate the work that has been done by the commissioner and the deputy commissioner, the reorganization that has been made and that is proposed, the useless employees whose services have been dispensed with, and that all this has been done—the service improved—and that in addition a large amount of money has been saved to the Government already by this one bureau, and methods that have been adopted which will greatly improve the service, he will be satisfied that it was not only a wise piece of legislation, but one that was necessary and bound to enhance the efficiency of this great branch of the Government service.

Now, having said that much, I desire to ask the gentleman from Massachusetts [Mr. GILLETT] in charge of the bill where he gets the law to fix the salary of the chief clerk at \$2,400. The bill which we enacted into law provides for the establishment of a chief clerk, but it does not fix the salary. How does the gentleman arrive at the salary of \$2,400, when the chief clerk of the Department of Commerce and Labor receives only \$3,000?

Mr. GILLETT. That was the old salary of the clerk of the department, I think.

Mr. BARTLETT of Georgia. It was called the Lighthouse Board.

Mr. GILLETT. That is what I mean. I think this is the same salary that he had.

Mr. BARTLETT of Georgia. That has been dispensed with, and we now have a commissioner and a deputy commissioner.

Mr. GILLETT. I do not catch the gentleman's question.

Mr. BARTLETT of Georgia. The Lighthouse Board has been abolished.

Mr. GILLETT. Yes.

Mr. BARTLETT of Georgia. And we have now a Commissioner of Lighthouses and a Deputy Commissioner of Lighthouses.

Mr. GILLETT. Yes.

Mr. BARTLETT of Georgia. As originally drafted there was no deputy commissioner. It was proposed that the chief clerk should discharge the duties of the commissioner in his absence. Does the gentleman think it is necessary to have a chief clerk in this bureau at the salary that is fixed?

Mr. GILLETT. We followed the organization of the bureau, I think.

Mr. BARTLETT of Georgia. I have the law of the organization of the bureau before me, and it does not fix the salary.

Mr. GILLETT. It fixes the office, not the salary, and we simply followed the salary of the old board.

Mr. BARTLETT of Georgia. Does not the gentleman think that is a pretty good salary for this office?

Mr. GILLETT. Yes; but still that is about what they generally get.

Mr. BARTLETT of Georgia. The salary was not fixed by law.

Mr. GILLETT. No; there was no salary fixed by law. Two thousand four hundred dollars is about the average bureau salary, I think.

Mr. BARTLETT of Georgia. I know quite a number of chief clerks who do not receive that amount of salary. The chief clerk for the Department of Commerce and Labor gets only \$3,000.

Mr. GILLETT. At the next page the chief clerk of the Census Bureau gets \$3,000.

Mr. BARTLETT of Georgia. Oh, we understand why that is, and I think that is too much now, or soon will be.

[By unanimous consent the time of Mr. BARTLETT of Georgia was extended for five minutes.]

Mr. GILLETT. That seems to be about the usual salary.

Mr. BARTLETT of Georgia. Would the gentleman object to having that salary reduced to \$2,000? In view of the fact of the establishment of this bureau, in view of the fact that we have a commissioner and a deputy commissioner, very efficient officers, and the fact that the deputy commissioner, as I know to be true, has control of almost all of the work the chief clerk does in the other department, does not the gentleman think the salary of \$2,400 is rather a large sum and too much for the work required of this chief clerk?

Mr. GILLETT. This is a new question because we fixed it as recommended, but, for instance, take the Bureau of Corporations. This bureau has an expenditure of about \$4,000,000 or \$5,000,000, and the Bureau of Corporations has a \$2,500 chief clerk. I think it is below, rather than above, the average of the bureaus, and, inasmuch as it was estimated for at this rate and he is now getting that, I should be sorry to reduce it.

Mr. MANN. I hope the gentleman will not ask for that.

Mr. BARTLETT of Georgia. I will not do that if the gentleman from Illinois—

Mr. MANN. I consulted the other day with the commissioner about it and he thought it ought to be left as it is.

Mr. BARTLETT of Georgia. I think the office is useless myself, but if the gentleman from Illinois thinks it is necessary and believes it ought to be retained—

Mr. MANN. I believe it is proper.

Mr. BARTLETT of Georgia. I yield to him about it.

Mr. GILLETT. Mr. Chairman, I would like to say a word as to the suggestion of the gentleman from Illinois in regard to the Lighthouse Service. I want to say, from our consideration in the committee, we thought the change they made last year an exceedingly valuable and useful change. The main appropriation for the new organization comes under the sundry civil bill, and where there was an appropriation last year of over \$5,000,000 it will be reduced this year by about half a million dollars, which is the first fruits, I suppose, of this reorganization. Consequently, as far as the figures coming before our committee indicate, it was an exceedingly valuable and useful change.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Census Office: For salaries, including the chief clerk at \$3,000 per annum, and necessary expenses for preparing for, taking, compiling, and publishing the Thirteenth Census of the United States, rent of office quarters, for carrying on during the decennial census period all other census work authorized and directed by law, including construction and repair of card-punching, card-sorting, and card-tabulating machinery, and technical and mechanical services in connection therewith, purchase, rental, construction, repair, and exchange of mechanical appliances, to continue available until June 30, 1912, \$1,000,000 of which sum shall be immediately available, \$2,500,000.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the last word. May I ask the gentleman from Massachusetts, in charge of the bill, if the salary for the chief clerk for the Bureau of the Census at \$3,000 is fixed by statute, by the act authorizing the taking of the census?

Mr. GILLETT. No; I do not think it is fixed by statute. Yes; the statute fixes it at \$2,500, but in the House last year it was put in at \$3,000.

Mr. BARTLETT of Georgia. Does the gentleman think he is accurate about that?

Mr. GILLETT. That is my recollection.

Mr. BARTLETT of Georgia. The reason I ask about that is that the work is beginning now to diminish, and the act, as I recall it—I thought I had it before me, but I have mislaid it—provides for the chief clerk's salary at \$3,000 during the time of taking the census, but the evident intention was to reduce it when the pressure of the work was over. Now, while that amount might be a reasonable compensation and not a very extravagant compensation during the time when they had to organize the force and distribute the work, if the chief clerk performed the duties prescribed by the statute, does not the

gentleman think, now that the department has gotten through with a large part of that work and employees who were employed in the bureau to do the work are beginning to be discharged and only those kept who may be required permanently, does not the gentleman think that is too large a salary for a chief clerk, when the chief clerk of the Department of Commerce and Labor, who has charge of all the work of a chief for that department, only receives \$3,000?

Mr. GILLETT. Mr. Chairman, it is a pretty high salary, but it was put in last year, as I say, on the floor, with the idea that it should simply continue during the active work of the census and when that census was an exceedingly large work, and when the work materially decreased then the salary should be reduced; but I understand, although the outside work is completed, yet the work in the bureau will during the next year still be large.

Mr. BARTLETT of Georgia. Does not the gentleman think it rather disproportionate for the chief clerk of the Department of Commerce and Labor to receive \$3,000 and the chief clerk of one of the bureaus of that department to receive \$3,000?

Mr. GILLETT. The gentleman realizes that while the census taking is in active operation it is bigger than all the rest of the department together.

Mr. BARTLETT of Georgia. I understand all that; it has been for the past six or nine months very active, and a great deal of work has been done.

Mr. GILLETT. And for another year it probably will be.

Mr. BARTLETT of Georgia. I think a great deal still remains to be done, but the work now will necessarily diminish and fewer employees be required.

Mr. GILLETT. Oh, yes; it is beginning to fall off.

Mr. BARTLETT of Georgia. It occurs to me to insist that it is too large a salary, and that the extraordinary work of the chief clerk of the Bureau of the Census has about ended, and that we ought to cut it down somewhat, so as not to be out of all proportion with all the other chief clerks of the other departments and bureaus. Very few get \$3,000.

Mr. GILLETT. This bureau is out of proportion to all others. It is very much larger than any other bureau.

Mr. BARTLETT of Georgia. I understand that.

Mr. GILLETT. But we have appropriated in this bill, the gentleman will recognize, two million and a half of dollars for the office work for the coming year. That shows that it is still to be—

Mr. BARTLETT of Georgia. We appropriated ten or twelve million dollars for last year.

Mr. GILLETT. Not simply for the office force. That was for all the taking of the census.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BARTLETT] has expired.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the words "three thousand" and insert the words "two thousand five hundred."

The CHAIRMAN. The gentleman from Georgia offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 157, line 5, strike out "three thousand" and insert "two thousand five hundred."

Mr. MURPHY. Mr. Chairman, I want to reserve a point of order on that.

Mr. BARTLETT of Georgia. Mr. Chairman, I do not desire to say anything further in that connection. It occurs to me that this salary is not fixed by law, but is subject to the legislative will. The amount of \$3,000 will continue and be paid until July 1 next. If we reduce the salary to \$2,500, it will not begin until after the 1st of next July. We have now had six months of the old salary of \$3,000, and on the 1st day of July he will begin to draw, if this amendment is carried, \$2,500 per year.

Mr. MANN. Will the gentleman yield for a suggestion?

Mr. BARTLETT of Georgia. Certainly.

Mr. MANN. Last year, if the gentleman will recollect, there was reported to the House a bill to increase the salary of the chief clerk of the Census Office permanently.

Mr. BARTLETT of Georgia. Not the chief clerk; the appointment clerk.

Mr. MANN. Well, this clerk.

Mr. BARTLETT of Georgia. I thought it was the appointment clerk and disbursing officer.

Mr. MANN. My recollection is that it was this clerk. Did not the gentleman from Missouri [Mr. MURPHY] have a bill to increase his salary?

Mr. MURPHY. Yes; it is on the calendar now.

Mr. MANN. A bill was reported into the House last year to increase this salary from \$2,500 to \$3,000 permanently. There was a discussion in the House, as I recall, and it was agreed among all Members here, practically, that they would not pass

the bill making a permanent increase in the clerk's salary, but that it might be increased in the ordinary appropriation bill during the period of service of maybe two or three years, and then go back to the \$2,500, following the example of the last census, and it seems to me that really in good faith we ought to let it go at that for another year.

Mr. BARTLETT of Georgia. It seems to me as if we were going to let it go until July 1, and the effect of this amendment is simply to reduce it after July 1.

Mr. MANN. But it is true, also, that the man did not commence to get the salary until July 1 last, and that the thought at that time was, as I recall it, that he might have, probably, an increase in salary for two or three years. I do not know how the Census Office runs, because I guess I am persona non grata at the Census Office.

Mr. BARTLETT of Georgia. The work will be diminished, and we have given him an increased salary for the increased work, and we have given him more than any other chief clerk in the Department of Commerce and Labor.

Mr. MANN. The increased work is not over yet. The gentleman will remember, and I get my information from the action of the census of 1900, that the work continued for a long time after the census itself was taken. The work of compilation and publication yet remains, and that is where most of the work comes in as far as this office is concerned.

Mr. BARTLETT of Georgia. Well, Mr. Chairman, I do not know that I am a party to any such agreement. Of course, if I was, either impliedly or expressly, I will keep it.

Mr. MANN. I will say to the gentleman that I was not at the time in favor of the bill to increase the salary permanently or in favor of a temporary increase, but I think it was the understanding at the time, and that other bill has never been pressed.

The Census Committee was recently passed on the call of the committees, and that bill was not called up, although on the calendar.

Mr. HEFLIN. I ask the gentleman from Georgia to withdraw his amendment.

Mr. BARTLETT of Georgia. I will not press the amendment now, but if it is my good fortune that I shall be present when the legislative, executive, and judicial appropriation bill is considered again, I want to give notice that I will insist that if this was an express or implied understanding it can not extend any further; and in the consideration of the next legislative, executive, and judicial appropriation bill, so far as I am concerned, if I can reduce the salary to the amount fixed by law I shall do so. I do not want to violate any understanding the House had, nor do I want to seem penurious in the work of cutting down salaries. I made this motion because I thought the time had come when it ought to be made. I did not think it proper to have standing in the same appropriation bill a chief clerk of one of the bureaus receiving a higher salary than the chief clerk of the department itself. I will not press the amendment, however, at this time.

Mr. MANN. I move to strike out the last word. I suggest to the gentleman in charge of this bill that we have had rather an exhaustive day's work and spent \$45,000,000. In view of the doings that are to be had at the other end of the Avenue, it is getting a little late.

Mr. GILLET. I move that the committee do now rise. The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURKE of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the legislative, executive, and judicial appropriation bill (H. R. 29360), and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. JAMES, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of L. B. Edmonds, Sixtieth Congress, no adverse report having been made thereon.

EULOGIES ON HON. W. P. BROWNLOW.

Mr. MASSEY. Mr. Speaker, I offer the following order (No. 16).

The Clerk read as follows:

Ordered, That Sunday, the 19th day of February, 1911, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of the Hon. W. P. BROWNLOW, late a Representative from the State of Tennessee.

The order was agreed to.

INCOME TAX.

The SPEAKER laid before the House the following communication from the governor of Texas, which was read.

The SPEAKER. There is a joint resolution accompanying the communication from the governor of Texas referring to the

proposed sixteenth amendment to the Constitution of the United States. As the Chair recollects, the usual course is that such communications lie on the table. Without objection, it will be printed in the RECORD. The Chair hears no objection.

The letter and accompanying copy of joint resolution are as follows:

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, January 3, 1911.

Hon. JOSEPH G. CANNON,
Speaker of the House of Representatives,
Washington, D. C.

SIR: Pursuant to senate joint resolution No. 1, adopted by the thirty-first legislature of the State of Texas at its third called session and approved by me as governor on August 17, 1910, ratifying the proposed sixteenth amendment to the Constitution of the United States of America, I am inclosing you herewith copy of said resolution.

With assurances of my highest esteem, I am,
Very respectfully,

T. M. CAMPBELL, Governor of Texas.

Senate joint resolution 1.

Joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America.

Whereas both Houses of the Sixty-first Congress of the United States of America, at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"A joint resolution proposing an amendment to the Constitution of the United States.

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution, namely: "ARTICLE XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration."

Therefore be it
Resolved by the senate and house of representatives of the State of Texas, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Texas.

That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the President of the United States, Secretary of State of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

D. M. ALEXANDER,
President pro tempore of the Senate.
JOHN MARSHALL,
Speaker House of Representatives.

Approved August 17, 1910.

T. M. CAMPBELL, Governor.
I hereby certify that senate joint resolution No. 1 passed the senate August 4, 1910, by the following vote—ayes 28, nays 1.

CLYDE D. SMITH,
Secretary of the Senate.
I hereby certify that senate joint resolution No. 1 passed the house August 16, 1910, by the following vote—ayes 101, nays 1.

BOB BARKER,
Chief Clerk House of Representatives.
Received in the executive office this 17th day of August, A. D. 1910, at 10 o'clock and 19 minutes a. m.

J. R. BOWMAN, Private Secretary.
Received in department of state this 17th day of August, A. D. 1910, at 10 o'clock and 30 minutes a. m.

W. B. TOWNSEND, Secretary of State.

THE STATE OF TEXAS, Department of State:

I, W. B. Townsend, secretary of state of the State of Texas, do hereby certify that the attached and foregoing is a true and correct copy of senate joint resolution No. 1, a joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America, proposed at the first session of the Sixty-first Congress of the United States, with the indorsements thereon, passed by the thirty-first legislature of the State of Texas at its session, convened in the city of Austin, Tex., on the 19th day of July, A. D. 1910, as said resolution appears on file in this department.

In testimony whereof I have hereunto signed my name officially and caused to be impressed hereon the seal of State, at my office in the city of Austin, Tex., on this the 31st day of December, A. D. 1910.

[SEAL.] W. B. TOWNSEND, Secretary of State.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

ADJOURNMENT.

Mr. GILLET. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until Wednesday, January 11, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting reports of delinquencies in accounts of officers for the fiscal year ended June 30, 1910 (H. Doc. No. 1275); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

2. A letter from Hamilton, Colbert, Yerkes & Hamilton, transmitting the report of the Georgetown Barge, Dock, Elevator & Railway Co. up to and including November 30, 1910 (S. Doc. No. 733); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Zippel Bay, Lake of the Woods, Minn. (H. Doc. No. 1276); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HUBBARD of West Virginia, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17848) to authorize the Virginia Iron, Coal & Coke Co. to build a dam across the New River near Foster Falls, Wythe County, Va., reported the same with amendment, accompanied by a report (No. 1877), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 26411) authorizing the Ivanhoe Furnace Corporation, of Ivanhoe, Wythe County, Va., to erect a dam across New River, reported the same with amendment, accompanied by a report (No. 1878), which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 27292) to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, in Itawamba County, Miss., reported the same without amendment, accompanied by a report (No. 1879), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 25621) granting a pension to Laura M. Keyes; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 27992) granting an increase of pension to Phillip Wimmer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 28578) granting an increase of pension to William Harman; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 31063) permitting chief office deputy United States marshals to act as disbursing officers for their principals in cases of emergency; to the Committee on the Judiciary.

By Mr. TILSON: A bill (H. R. 31064) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States;" to the Committee on the Judiciary.

By Mr. YOUNG of Michigan: A bill (H. R. 31065) providing for the purchase of a site and the erection of a public building thereon at Houghton, in the State of Michigan; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 31066) to authorize the Secretary of Commerce and Labor to purchase certain lands for lighthouse purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COVINGTON: A bill (H. R. 31067) to provide a method for the determination and adjustment of claims arising out of personal injuries to employees of the Isthmian Canal Commission and for the payment of such claims; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM: A bill (H. R. 31068) to modify and amend the mining laws of the United States in their applica-

tion to the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. KELHER: A bill (H. R. 31069) to provide the rate of pay for substitute letter carriers in post offices of the first and second classes; to the Committee on the Post Office and Post Roads.

By Mr. HULL of Iowa: A bill (H. R. 31070) to repeal an act entitled "An act to authorize the Natchez Electric Street Railway & Power Co. to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;" to the Committee on Military Affairs.

Also, a bill (H. R. 31071) to repeal an act entitled "An act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the national cemetery road at Vicksburg, Miss.;" to the Committee on Military Affairs.

By Mr. HEFLIN: A bill (H. R. 31072) to secure fair jury trials in criminal cases in the United States district and circuit courts; to the Committee on the Judiciary.

Also, a bill (H. R. 31073) providing that agents be sent into the South American Republics and into China and Japan for the purpose of inquiring into our trade relations with these countries and urging the use of American cotton goods; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAIG: A bill (H. R. 31074) making appropriations for irrigation investigations and experiments in the humid regions of the United States; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: A bill (H. R. 31075) to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of diseases of potatoes known as black scab and wart disease, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 31076) for the establishment of a board for the protection of children and animals; to the Committee on the Judiciary.

Also, a bill (H. R. 31077) to prevent desertion and abandonment of families and providing a penalty therefor; to the Committee on the Judiciary.

Also, a bill (H. R. 31078) to amend section 2320 of the Revised Statutes of the United States; to the Committee on Mines and Mining.

By Mr. AUSTIN: Resolution (H. Res. 894) authorizing increase of salaries of superintendent of press gallery and messenger; to the Committee on Accounts.

By Mr. GRIEST: Joint resolution (H. J. Res. 263) creating a commission to consider and report upon a plan for the promotion of universal peace among nations by commemorating the one hundredth anniversary of the signing of the treaty of Ghent; to the Committee on Foreign Affairs.

By Mr. SMITH of Iowa: Joint resolution (H. J. Res. 264) relating to amendments to revenue bills; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 31079) for the relief of the legal representatives of Harvey W. Lathrop and James W. Lathrop, deceased; to the Committee on War Claims.

By Mr. ANDERSON: A bill (H. R. 31080) granting an increase of pension to John F. Stallsmith; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 31081) to remove the charge of desertion standing against Alexander English; to the Committee on Military Affairs.

By Mr. BARCHFELD: A bill (H. R. 31082) granting an increase of pension to Frederick B. Lewis; to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 31083) for the relief of Catherine A. Fox; to the Committee on Claims.

Also, a bill (H. R. 31084) for the relief of Julius L. Bullard; to the Committee on Military Affairs.

By Mr. BOEHNE: A bill (H. R. 31085) granting an increase of pension to James R. Wise; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 31086) granting an increase of pension to Milton Buchanan; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 31087) for the relief of the legal representatives of John Gillin; to the Committee on War Claims.

By Mr. CAMERON: A bill (H. R. 31088) to authorize and empower the town of Glendale, Maricopa County, Arizona Territory, to issue its bonds in the sum of \$10,000, for the purpose of

providing \$8,000 for the improvement of its streets and \$2,000 for the purchase of an apparatus for extinguishing fires; to the Committee on the Territories.

By Mr. CANTRILL: A bill (H. R. 31089) granting an increase of pension to Florence Chinn; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 31090) granting an increase of pension to Andrew P. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 31091) granting an honorable discharge to Robert F. Hamilton; to the Committee on Military Affairs.

Also, a bill (H. R. 31092) granting an increase of pension to Marcellus M. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 31093) for the relief of Stephen Arnold Ritchey; to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 31094) granting an increase of pension to William F. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31095) granting an increase of pension to William A. Melon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31096) granting a pension to Rachel Pearson; to the Committee on Invalid Pensions.

By Mr. COCKS of New York: A bill (H. R. 31097) granting an increase of pension to Moses R. Allen; to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 31098) granting an increase of pension to John F. Pardue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31099) granting an increase of pension to Vickery Wyatt; to the Committee on Invalid Pensions.

By Mr. CROW: A bill (H. R. 31100) granting a pension to Thomas Fulkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31101) granting an increase of pension to Oberon Payne; to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 31102) to carry into effect the findings of the Court of Claims in the claim of the legal representatives of Gallus Kerchner, deceased; to the Committee on Claims.

By Mr. DENT: A bill (H. R. 31103) for the relief of George P. Heard; to the Committee on Military Affairs.

By Mr. DRAPER: A bill (H. R. 31104) referring to the Court of Claims for adjudication and determination the claims of the widow and family of Marcus P. Norton and the heirs at law of others; to the Committee on Claims.

Also, a bill (H. R. 31105) granting an increase of pension to John T. Breeson; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 31106) for the relief of Ten Eyck De Witt Veeder, commodore on the retired list of the United States Navy; to the Committee on Naval Affairs.

By Mr. GILL of Missouri: A bill (H. R. 31107) granting an increase of pension to Patrick O'Brien; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 31108) granting an increase of pension to Marcella Rowan; to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 31109) to correct the military record of Capt. Sylvester G. Parker; to the Committee on Military Affairs.

By Mr. GREGG: A bill (H. R. 31110) for the relief of Robert C. McManus, administrator of the estate of R. O. W. McManus, deceased; to the Committee on War Claims.

By Mr. HAMMOND: A bill (H. R. 31111) granting a pension to Charles W. W. Dow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31112) granting a pension to I. G. Scott; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 31113) granting an increase of pension to William H. Mowder; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 31114) granting an increase of pension to Franklin Comstock; to the Committee on Invalid Pensions.

By Mr. HITCHCOCK: A bill (H. R. 31115) granting an increase of pension to James Tompach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31116) granting an increase of pension to Thomas M. Stuart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31117) granting an increase of pension to William Morrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31118) granting an increase of pension to Hillon L. Mead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31119) granting an increase of pension to Milton I. Woodard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31120) granting an increase of pension to Benjamin P. Goddard; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 31121) granting a pension to Annie Gates Hastings; to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 31122) granting an increase of pension to Frank Munson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31123) granting an increase of pension to Convers C. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31124) granting an increase of pension to George W. Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31125) granting an increase of pension to Joseph Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31126) granting an increase of pension to Jackson Kindsman; to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 31127) granting an increase of pension to Charles Austin; to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 31128) granting an increase of pension to Miles Zentmyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31129) granting an increase of pension to Hans H. Moeller; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 31130) granting an increase of pension to Charles R. Lowell; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 31131) granting an increase of pension to Hiram D. Alford; to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 31132) granting an increase of pension to Ernest Weinhold; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 31133) granting a pension to Neriah B. Kendall; to the Committee on Invalid Pensions.

By Mr. MASSEY: A bill (H. R. 31134) granting an increase of pension to William C. Tilley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31135) granting an increase of pension to John E. Greene; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31136) granting an increase of pension to John J. Proffitt; to the Committee on Pensions.

Also, a bill (H. R. 31137) granting an increase of pension to Jesse Maloy; to the Committee on Pensions.

Also, a bill (H. R. 31138) granting a pension to Lemiel A. Ragan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31139) granting a pension to Thomas Lorge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31140) for the relief of Lincoln S. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 31141) to correct the military record of Thomas Ownby; to the Committee on Military Affairs.

By Mr. MOON of Tennessee: A bill (H. R. 31142) for the relief of Mary E. Coppinger; to the Committee on War Claims.

By Mr. NYE: A bill (H. R. 31143) granting an increase of pension to David P. R. Strong; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 31144) granting a pension to Charles E. Frizzell; to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 31145) for the relief of the son of the late Thomas J. Brereton; to the Committee on War Claims.

By Mr. PICKETT: A bill (H. R. 31146) granting an increase of pension to Samuel Sewell; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 31147) granting an increase of pension to John E. Rockwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31148) granting an increase of pension to John Mooney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31149) granting an increase of pension to Anson B. Carney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31150) granting an increase of pension to Isaac Babcock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31151) granting an increase of pension to William Maxfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31152) to remove the charge of desertion from the record of William R. Capwell; to the Committee on Military Affairs.

Also, a bill (H. R. 31153) to remove the charge of desertion from the record of Harry Heyleman; to the Committee on Military Affairs.

By Mr. PRAY: A bill (H. R. 31154) granting an increase of pension to Solomon Sibley; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 31155) granting an increase of pension to John A. Kersey; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 31156) granting an increase of pension to Michael Manahan; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 31157) for the relief of Welcome M. Brackett; to the Committee on Military Affairs.

By Mr. SNAPP: A bill (H. R. 31158) granting an increase of pension to William O'Callaghan; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 31159) granting an increase of pension to Francis M. Hesler; to the Committee on Invalid Pensions.

By Mr. YOUNG of Michigan: A bill (H. R. 31160) for the relief of C. Horatio Scott; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of W. H. Wilcoxon, preferring charges against the Secretary of the Interior relative to the management of the Hot Springs Reservation; to the Committee on the Public Lands.

By Mr. ANDERSON: Papers to accompany bills for relief of Isaac Chamberlain, John H. Carpenter, Nicholas Frankhouser, Samuel H. Delay, William L. Frisbey, John Fralick, Isaac Furman, Jacob Gish, and Liberty Gary; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: Petition of Mrs. Amelia Thorn, of Defiance, Ohio, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of Coshocton (Ohio) Council, No. 65, Junior Order United American Mechanics, for restricted immigration; to the Committee on Immigration and Naturalization.

Also, petition of D. C. Steiner and other merchants of Sterling, Ohio, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BARCHFELD: Paper to accompany bill for relief of Frederick B. Lewis; to the Committee on Invalid Pensions.

By Mr. BENNET of New York: Paper to accompany a bill for relief of Catherine A. Fox; to the Committee on Claims.

Also, paper to accompany bill for relief of J. L. Bullard; to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: Petition of Yankton Commercial Association, favoring San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. CALDER: Petition of Downtown Taxpayers' Association, for construction of the new battleship at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of the Congress Club of Kings County, N. Y., for continuance of construction of war vessels in Government yards; to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Annie L. Staliker; to the Committee on Invalid Pensions.

By Mr. COCKS of New York: Petition of citizens of New York State, favoring bill to increase efficiency of the Life-Saving Service (S. 5677); to the Committee on Interstate and Foreign Commerce.

By Mr. COX of Ohio: Petition of J. E. Gates, of Eldorado, Ohio, favoring application of the maximum law against Germany relative to potash; to the Committee on Ways and Means.

By Mr. DAWSON: Petition of G. W. Wichmann and other citizens of Davenport, Iowa, against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DIEKEMA: Petition of G. C. Schouwalter and G. Vanden Basce & Son, against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DICKINSON: Paper to accompany bill for relief of William M. Gregg; to the Committee on Invalid Pensions.

Also, petition of many citizens of Missouri, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DWIGHT: Petition of J. E. Belknap and others, against Senate bill 40 and House joint resolution No. 17, Sabbath observance, etc.; to the Committee on the District of Columbia.

By Mr. ESCH: Petition of citizens of Wisconsin, for Senate bill 5842, amending the present oleomargarine law; to the Committee on Agriculture.

By Mr. FOSTER of Illinois: Petition of Illinois State Teachers' Association, against extending the benefits of the Morrill Act to the George Washington University; to the Committee on Agriculture.

By Mr. FULLER: Petition of C. M. Porter, of Lincoln, Nebr., for House bill 17883; to the Committee on the Post Office and Post Roads.

Also, petition of F. H. McKindley and others, of Sandwich, Ill., against a local rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Morris, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. GARDNER of Massachusetts: Petition of residents of Essex County, for Senate bill 5677, relief of members of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of George K. Knowlton and other citizens of Hamilton, for the so-called Walter Smith bill, prohibiting transportation of prize-fight pictures; to the Committee on Interstate and Foreign Commerce.

By Mr. GILL of Missouri: Petition of citizens of St. Louis, Mo., for amendment of the United States statutes of extradition; to the Committee on Foreign Affairs.

By Mr. HAMLIN: Papers to accompany bills for relief of Joseph W. Hawkins and Josiah Baugher; to the Committee on Military Affairs.

By Mr. HAMMOND: Petition of citizens of Minnesota, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of M. T. Joyce and others, of Harvey, N. Dak., favoring a department of public health; to the Committee on Agriculture.

Also, petition of Woman's Literary Club of Wahpeton, N. Dak., for Federal investigation of causes of diseases among cattle; to the Committee on Agriculture.

Also, petition of Grant Baxter and others, for House bill 26791, additional compensation to rural free-delivery carriers; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Larimore, N. Dak., favoring Senate bill 3776, regulation of express companies by the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. HELM: Paper to accompany bill for relief of J. W. Allen; to the Committee on War Claims.

By Mr. HOLLINGSWORTH: Petition of Ministerial Association of Barnesville, Ohio, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of James V. Gillespie; to the Committee on Invalid Pensions.

By Mr. HOUSTON: Petition of citizens of Lewisburg, Tenn., for appropriation for a post-office building in Lewisburg, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. KNAPP: Paper to accompany bill for relief of Charles Austin; to the Committee on Invalid Pensions.

Also, petition of residents of Jefferson County, N. Y., favoring Senate bill 5677, life-saving efficiency bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGHAM: Petition of Leachburg (Pa.) Hardware Co., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of William Dewatt, S. D. Frank, Daniel K. Bee, and Thomas Critchet, favoring the enactment of House bill 17883; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of citizens of the sixth congressional district of Minnesota, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LAWRENCE: Petition of merchants of Greenfield, Mass., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LLOYD: Petition of citizens of the first Missouri congressional district, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Paper to accompany bill for relief of William Harman; to the Committee on Invalid Pensions.

By Mr. MCHENRY: Petition of Grange No. 1126, Patrons of Husbandry, of Loretto, Pa., favoring Senate bill 5842, relative to oleomargarine bill; to the Committee on Agriculture.

By Mr. MCKINNEY: Petition of Illinois State Teachers' Association, against extension of the Morrill Act to the benefit of the George Washington University; to the Committee on Agriculture.

By Mr. MASSEY: Papers to accompany bills for relief of Thomas Sloan and Rachel Large; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of John E. Greene; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Mary E. Coppinger; to the Committee on War Claims.

By Mr. MOORE of Pennsylvania: Petition of Niagara Alkali Co., Niagara Falls, N. Y., against a tax on muriate of potash; to the Committee on Ways and Means.

Also, petition of Union of Orthodox Jewish Congregations of United States and Canada, against further restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of John T. Lewis & Bros. Co., of Philadelphia, approving amendment to the law as made by the Postmaster General in his report to the President relative to forwarding certain classes of mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of Lumbermen's Exchange of Philadelphia, favoring building of a 1,700-foot dry-dock at the Philadelphia Navy Yard; to the Committee on Naval Affairs.

By Mr. MORSE: Petition of Antigo Division, No. 462, Order of Railway Conductors, favoring investigation of causes of tuberculosis, typhoid fever, and other diseases originating in dairy products; to the Committee on Agriculture.

Also, petition of Antigo Division, No. 462, Order of Railway Conductors, for repeal of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. OLDFIELD: Paper to accompany bill for relief of Polk D. Southard; to the Committee on Invalid Pensions.

By Mr. RODENBERG: Petition of citizens of the twenty-second congressional district of Illinois, protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. RUCKER of Colorado: Petition of W. H. Powell and others, indorsing House bill 27832; to the Committee on Pensions.

By Mr. SHEFFIELD: Petition of Representative Council, T. Fred Kaul and 86 others, John P. Sanborn and 5 others, and J. Anthon Barker and 26 others, of Newport; H. M. Ball and 48 others, of Block Island, all in the State of Rhode Island, favoring Senate bill 5677, a bill to promote efficiency of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of citizens of New York City, for Federal registration of automobiles (H. R. 5176); to the Committee on Interstate and Foreign Commerce.

Also, petition of memorial committee of the Grand Army of the Republic of the State of New York, favoring promotion of Gen. Daniel E. Sickles to the lieutenant generalcy; to the Committee on Military Affairs.

Also, petition of Retail Clerks' International Protective Association, against increase of hours of labor for Government clerks; to the Committee on Labor.

Also, petition of Luther H. Gulick, for an appropriation to the Bureau of Education to secure experts in various departments of education; to the Committee on Education.

By Mr. THISTLEWOOD: Petition of citizens of the twenty-fifth congressional district of Illinois, against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Teachers' Association, against extension of the benefits of the Morrill Act to the District of Columbia; to the Committee on Agriculture.

SENATE.

WEDNESDAY, January 11, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Brown, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 24145. An act for the establishment of marine schools, and for other purposes; and

H. R. 29346. An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 115. An act for the relief of Marcellus Troxell; and

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the Merchants' Association of Honolulu, Territory of Hawaii, remonstrating against the enactment of legislation requiring the irrigation and reclamation of public lands in that Territory, and also against the enactment of legislation granting to J. T. McCrosson, his associates and assigns, certain water rights on the military reservation at Wainae-Uka, island of Oahu, Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a memorial of the executive committee of the Republican Party of the Territory of Hawaii, remonstrating against the enactment of legislation to prohibit the sale of intoxicating liquors in that Territory, and also against the enactment of legislation granting to J. T. McCrosson, his associates and assigns, certain water rights on the military reservation at Wainae-Uka, island of Oahu, Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. SHIVELY presented petitions of the Indiana Historical Society, the Ohio Valley Historical Association, and the Mississippi Valley Association, praying that an appropriation be made for the preservation of the languages of the Indian tribes of the Ohio and Mississippi Valleys, which were referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of River Park, Kyana, and Ferdinand, all in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. BEVERIDGE. I present a petition from the Commercial Club of Fort Wayne, Ind., praying for the passage of Senate bill 4982, to establish a court of patent appeals. I ask that the petition be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

To the Senators and Representatives of the United States in Congress assembled:

The Commercial Club of Fort Wayne, Ind., and the Manufacturers' Club of the same city present this memorial.

The Commercial Club is the representative of all the business interests of Fort Wayne, and the Manufacturers' Club represents the manufacturing interests in said city.

The city of Fort Wayne—the third city in the State in population—depends mainly upon its manufacturing industries, which include about a hundred establishments and nearly as many different branches of manufacture, whose products are sold in all parts of the Union.

The citizens having these interests in charge are deeply concerned in the passage of the pending bills (H. R. 14622 and S. 4982) to establish a United States court of patent appeals. Their business is vitally affected by the administration of the patent law, and the uncertainty and confusion, which inevitably result in that branch of jurisprudence from the divided final jurisdiction vested in the nine independent United States Circuit Courts of Appeals, is a serious loss and injury to them.

Wherefore your memorialists ask of Congress speedy consideration of said bill and its enactment as law.

Done in obedience to the directions of the Commercial Club of Fort Wayne and the Manufacturers' Club of Fort Wayne, met in joint session December 30, 1910.

COMMERCIAL CLUB OF FORT WAYNE,

By PERRY A. RANDALL, President.

MANUFACTURERS' CLUB OF FORT WAYNE,

By VAN B. PIERRE, President.

Mr. BURKETT presented a petition of Hayman Lodge, No. 1995, Modern Brotherhood of America, of Arapahoe, Nebr., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. DIXON presented memorials of sundry citizens of Garnet, Missoula, Grass Range, and Billings, all in the State of Montana, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. SCOTT presented a petition of Local Branch No. 77, Glass Bottle Blowers' Association of the United States and Canada, of Fairmont, W. Va., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. FLINT presented a memorial of the Mercantile Co. of Long Beach, Cal., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Printers' Board of Trade of Los Angeles, Cal., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.